S. R. A.—B. E. P. Q. 161 Issued March 1945

United States Department of Agriculture

AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SERVICE AND REGULATORY ANNOUNCEMENTS

OCTOBER–DECEMBER 1944

CONTENTS

	Page
Quarantine and other official announcements	75
Announcements relating to black stem rust quarantine (No. 38)	75
Federal grain rust quarantine revised to protect Washington State (press notice)	75
Revised quarantine and regulations effective December 26, 1944	76
Notice to general public through newspapers	79
Instructions to postmasters	79
Announcement relating to flag smut quarantine (No. 59)	80
Amendment No. 2 effective November 30, 1944	81
Announcements relating to foreign pink bollworm quarantine (No. 8)	81
Foreign pink bollworm quarantine revision (press notice)	81
Revised quarantine and regulations effective November 11, 1944	81
Instructions to collectors of customs (T. D. 51164)	84
Announcements relating to pink bollworm quarantine (No. 52)	85
Cotton pink bollworm quarantine revised (press notice)	85
Revised quarantine and regulations effective November 9, 1944	85
Instructions to general public through newspapers	92
Instructions to postmasters	92
Pink bollworm quarantine regulations modified (B. E. P. Q. 493, fourth revision)	92
Announcements relating to white-fringed beetle quarantine (No. 72)	93
White-fringed beetle quarantine regulations revised (press notice)	93
Revised quarantine and regulations effective November 25, 1944	93
Notice to general public through newspapers	100
Instructions to postmasters	100
White-fringed beetle regulations modified (B. E. P. Q. 485, thirteenth revision)	100
Miscellaneous items	101
Plant-quarantine import restrictions, Territory of Southern Rhodesia (B. E. P. Q. 446, supplement No. 1)	101
Plant-quarantine import restrictions, Republic of Peru (P. Q. Q. A. 310, supplement No. 6, revised)	103
Designation of quarantine liaison officers and Army and Navy orders pertaining to plant quarantine	103
Quarantine liaison officers	103
Army orders and regulations	104
Navy orders and regulations	112
Terminal inspection of plants and plant products	115
Oklahoma discontinues terminal plant inspection	115
Penalties imposed for violations of the Plant Quarantine Act	116
Organization of the Bureau of Entomology and Plant Quarantine	117

QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO BLACK STEM RUST QUARANTINE (NO. 38)

FEDERAL GRAIN RUST QUARANTINE REVISED TO PROTECT WASHINGTON STATE

DECEMBER 23, 1944.

The movement to the State of Washington of those species of barberries and mahonias that are known to be carriers of black stem rust of small grains was placed under restriction in a revision of the Federal quarantine which became

effective December 26, 1944, the Secretary of Agriculture has announced. Because of the losses grain growers in eastern Washington are experiencing from the rust, a project has been set up by that State to eradicate the common barberry and other rust-susceptible species of barberries and mahonias.

Such Federal quarantine protection has heretofore been extended to 17 States in the important grain-producing regions in which the black stem rust is being effectively brought under control through the joint eradication projects of the States and the Bureau of Entomology and Plant Quarantine. Nurserymen who grow only the rust-resistant species of these ornamental plants are issued permits by the Bureau of Entomology and Plant Quarantine to ship them to the protected States. Nurserymen have cooperated nearly 100 percent in this measure of control of the rust.

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

[B. E. P. Q.—Q. 38]

PART 301—DOMESTIC QUARANTINE NOTICES

BLACK STEM RUST QUARANTINE

INTRODUCTORY NOTE

The purpose of the current revision of the black stem rust quarantine and regulations is to add Washington to the list of States that are being protected from the black stem rust by restricting the movement thereto of susceptible species of barberries and mahonias. There are also incorporated standard provisions of current quarantines including (1) a proviso to the effect that the protection afforded by the quarantine is conditioned upon the protected States regulating the intrastate movement of the regulated plants and enforcing other control measures; and (2) authorization for the Chief of the Bureau of Entomology and Plant Quarantine to make the restrictions less stringent when the pest risk involved makes it safe to do so.

NOTICE OF DETERMINATION OF THE SECRETARY OF AGRICULTURE

AUTHORITY: §§ 301.38 to 301.38–8 are issued under section 8 of the Plant Quarantine Act of August 20, 1912, as amended, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 1940 ed. 161.
REFERENCE: Subpart entitled "Black Stem Rust," part 301, chapter III, title 7, Code of Federal Regulations.

The Secretary of Agriculture has determined that it is necessary further to revise the black stem rust quarantine and regulations supplemental thereto, as revised effective September 1, 1937, in order to designate the State of Washington as a protected State within the meaning of the aforesaid quarantine and to incorporate in the quarantine and regulations additional provisos and modifications as hereinafter set forth. The quarantine and regulations are therefore hereby revised to read as follows:

BLACK STEM RUST QUARANTINE

(QUARANTINE NO. 38)

§ 301.38. *Notice of quarantine.*—The Secretary of Agriculture, having given the public hearing required by law, quarantines each and every State of the continental United States and the District of Columbia in order to prevent epidemic outbreaks of the destructive disease of small grains known as black stem rust (*Puccinia graminis*) in the 18 protected States as hereinafter designated, in the important grain-growing regions, in which the black stem rust is being effectively brought under control through the eradication of various susceptible varieties and species of barberries and mahonias. Hereafter, no plants of *Berberis* or *Mahonia*, or parts thereof capable of propagation, as specifically named in the regulations supplemental hereto, in revisions thereof, or in administrative instructions as provided in the regulations supplemental hereto, may be transported by any person, firm, or corporation, from any State or District of the United States into or between any of the protected States of Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska,

North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, under conditions other than those prescribed in the regulations supplemental hereto or modifications thereof: *Provided*, That the restrictions of this quarantine and of the rules and regulations supplemental hereto shall be conditioned upon the protected State or States regulating the intrastate movement of the restricted plants and plant products and enforcing such other control and sanitation measures as in the judgment of the Secretary of Agriculture shall be deemed adequate to prevent epidemic outbreaks of said disease: *Provided further*, That whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the species of plants to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation shall be made less stringent, whereupon such modification shall become effective as specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected States.

Revised Rules and Regulations

MEANING OF TERMS

§ 301.38–1. *Definitions.*—For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(a) *Black stem rust.*—The disease known as the black stem rust of grains (*Puccinia graminis*) in any stage of development.

(b) *Berberis.*—Any plants, cuttings, stocks, scions, buds, fruits, seeds, or parts of plants of any species, variety, or hybrid of the genus *Berberis*, capable of propagation; commonly known as barberries.

(c) *Mahonia.*—Any plants, cuttings, stocks, scions, buds, fruits, seeds, or parts of plants of any species, variety, or hybrid of the genera *Mahonia* (*Odostemon*) or *Mahoberberis*, capable of propagation; commonly known as mahonias, hollygrapes, holly barberries, or Oregon grapes.

(d) *Inspector.*—An inspector of the United States Department of Agriculture.

(e) *Moved interstate.*—Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from one State or District of the continental United States into or between any of the protected States.

PROTECTED STATES

§ 301.38–2. *Protected States.*—The following States are designated as protected: Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

RESTRICTED PLANTS

§ 301.38–3. *Plants the interstate movement of which is prohibited or restricted.*—(a) *Plants the movement of which is prohibited.*—*Berberis vulgaris*, or any of its horticultural varieties, or any other species, varieties, or hybrids of *Berberis* or *Mahonia* sufficiently susceptible to infection by the black stem rust to involve danger of spread of the disease, are prohibited movement interstate into or between any of the protected States.

(b) *Plants the movement of which is allowed under permit.*—*Berberis* and *Mahonia* of species, varieties, or hybrids not sufficiently susceptible to infection by black stem rust to involve danger of spread of the rust, may be moved interstate into or between the protected States when accompanied by a permit issued in compliance with these regulations: *Provided*, That no permit is required and no restrictions are placed on the interstate movement of (1) Japanese barberry (*Berberis thunbergi*) or any of its rust-resistant varieties, or (2) cuttings (without roots) of *Mahonia* when shipped for decorative purposes and not for propagation.

(c) *Designation of species as to rust-susceptibility.*—The Chief of the Bureau of Entomology and Plant Quarantine is authorized and directed to designate in administrative instructions supplemental to these regulations, the species, varieties, or hybrids of *Berberis* and *Mahonia* that are known or found to be (1)

sufficiently resistant to black stem rust to involve no danger of the spread of the rust and which may be shipped under permit; and (2) the rust-resistant varieties of the Japanese barberry.

PROCEDURE FOR APPLICANTS

§ 301.38–4. *Conditions governing the issuance of permits.*—(a) *Applications.*—Persons intending to move barberries and mahonias interstate into any of the protected States shall make application to the Bureau of Entomology and Plant Quarantine, Washington, D. C., for permit as far as possible in advance of the probable date of shipment. Applications received after June 1 covering shipments proposed to be made during the following fiscal year (July 1 to the next succeeding June 30) may be denied if examination by an inspector cannot be made before the close of the active growing season. Applicants will be required to state and agree that no *Berberis* or *Mahonia* susceptible to infection by black stem rust as designated in administrative instructions supplemental hereto by the Chief of the Bureau of Entomology and Plant Quarantine are being grown in any nursery or nurseries owned or controlled by the applicant or will be distributed by him. The application shall show a complete list of all *Berberis* and *Mahonia* grown by the applicant or proposed to be distributed by him, and the number of plants of each species or variety so grown or to be distributed. Permits will be issued only as to such species as have been determined to the satisfaction of the Secretary of Agriculture not sufficiently susceptible to infection by black stem rust to involve danger of spread of the rust.

(b) *Identity of species.*—The inspector may require such specimens or other evidence as to the identity of the species, varieties, and hybrids grown by the applicant, and may make such inspection, as may be necessary to determine identity.

PERMITS MAY BE CANCELED

§ 301.38–5. *Cancelation of permits.*—Permits issued under these regulations may be withdrawn or canceled by the inspector and further permits refused, either for any failure of compliance with the conditions of these regulations or violation of them, or whenever in the judgment of the inspector the further use of such permits might result in the dissemination of *Berberis* and *Mahonia* susceptible to infection by black stem rust.

MARKING REQUIREMENTS

§ 301.38–6. *Labeling shipments and use of permits.*—Every box, bale, or other container of restricted articles for which permits are required by these regulations shall be plainly marked with the name and address of the consignor and the name and address of the consignee and shall bear, securely attached to the outside thereof, a valid permit issued by an inspector in compliance with these regulations.

In the case of carload and other bulk shipments, a valid permit shall accompany the waybills pertaining to such shipments; or in the case of truck or other road vehicle the permit shall accompany the vehicle and be surrendered to the consignee on delivery.

SHIPMENTS INSPECTED EN ROUTE

§ 301.38–7. *Inspection of restricted articles in transit.*—Any car, vehicle, basket, box, or other container moved or offered to a common carrier for shipment interstate which contains or which the inspector has probable cause to believe contains articles the movement of which is prohibited or restricted by these regulations shall be subject to inspection by an inspector at any time or place.

SHIPMENTS FOR EXPERIMENTAL AND SCIENTIFIC PURPOSES

§ 301.38–8. *Shipments for experimental and scientific purposes.*—Articles subject to restrictions in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear, securely attached to the outside thereof, an official permit.

This revision shall be effective on and after December 26, 1944, and shall on that date supersede the quarantine and regulations promulgated August 4, 1937.

Done at the city of Washington this 22d day of December 1944.

Witness my hand and the seal of the United States Department of Agriculture.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[Copies of the foregoing revision were sent to all common carriers within and throughout the United States.]

[Filed with the Division of the Federal Register, December 22, 1944, 3:48 p. m.; 9 F. R. 14923.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., December 22, 1944.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), has revised the black stem rust quarantine (Notice of Quarantine No. 301.38) and regulations, effective December 26, 1944. The State of Washington is added to the States that are being protected from the black stem rust by restricting the movement thereto of rust-susceptible species of barberries and mahonias. Persons desiring to ship the immune species to Washington or the 17 other protected States in important grain-growing regions must apply to the Bureau of Entomology and Plant Quarantine, Washington, D. C., for a permit to do so.

CHARLES F. BRANNAN,
Acting Secretary.

[The above notice was published in the following newspapers: The Chicago Tribune, Chicago, Ill., January 3, 1945; the News, New York, N. Y., January 3, 1945; and the Spokesman-Review, Spokane, Wash., January 6, 1945.]

INSTRUCTIONS TO POSTMASTERS

BLACK STEM RUST QUARANTINE AFFECTING BERBERIS OR MAHONIA PLANTS

The regulations of Quarantine Order No. 38 of the United States Department of Agriculture, on account of the black stem rust disease governing the interstate shipment of Berberis or Mahonia plants (or parts thereof capable of propagation) have been revised, effective December 26, 1944, so as to add the State of Washington to the list of States designated as protected under this quarantine.

The attention of postmasters is invited to the following extracts from the revised quarantine order:

"Protected States

"§ 301.38–2. Protected States.—The following States are designated as protected: Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming."

"Restricted Plants

"§ 301.38–3. Plants the interstate movement of which is prohibited or restricted.

"(a) Plants the movement of which is prohibited.—Berberis vulgaris, or any of its horticultural varieties, or any other species, varieties, or hybrids of Berberis or Mahonia sufficiently susceptible to infection by the black stem rust to involve danger of spread of the disease, are prohibited movement interstate into or between any of the protected States.

"(b) Plants the movement of which is allowed under permit.—Berberis and Mahonia of species, varieties, or hybrids not sufficiently susceptible to infection by black stem rust to involve danger of spread of the rust, may be moved interstate into or between the protected States when accompanied by a permit issued in compliance with these regulations: *Provided*, That no permit is required and no restrictions are placed on the interstate movement of (1) Japanese barberry

(Berberis thunbergi) or any of its rust-resistant varieties, or (2) cuttings (without roots) of Mahonia when shipped for decorative purposes and not for propagation."

"*Marking Requirements*

"§ 301.38–6. Labeling shipments and use of permits.—Every box, bale, or other container of restricted articles for which permits are required by these regulations shall be plainly marked with the name and address of the consignor and the name and address of the consignee and shall bear, securely attached to the outside thereof, a valid permit issued by an inspector in compliance with these regulations."

As used in connection with this quarantine order the word "Berberis" is defined as "any plants, cuttings, stocks, scions, buds, fruits, seeds, or parts of plants of any species, variety, or hybrid of the genus Berberis, capable of propagation; commonly known as barberries." The word "Mahonia" is defined as "any plants, cuttings, stocks, scions, buds, fruits, seeds, or parts of plants of any species, variety, or hybrid of the genera Mahonia (Odostemon) or Mahoberberis, capable of propagation; commonly known as mahonias, hollygrapes, holly barberries, or Oregon grapes."

Persons intending to move "Berberis" or "Mahonia" plants (except "Berberis thunbergi" or any of its rust-resistant varieties) shall make application for a permit to the Bureau of Entomology and Plant Quarantine, Washington, D. C.

The Japanese barberry, an immune species planted in large numbers throughout the United States, together with its horticultural varieties, may be shipped into and between the protected States without permit or other requirement, except the usual nursery inspection certificate mentioned in the following paragraph.

No restrictions are placed by these regulations on the interstate movement of "Berberis" or "mahonia" between the 30 Eastern, Southern, and Western States in which barberry eradication is not being carried on. However, shipments of this kind must be accompanied with the usual certificate of inspection prescribed by paragraph 2, section 595, Postal Laws and Regulations.

(Reprint of notice which appeared in The Postal Bulletin of January 16, 1945.)

ANNOUNCEMENT RELATING TO FLAG SMUT QUARANTINE (NO. 59)

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

[B. E. P. Q.—Q. 59, AMDT. 2]

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—FLAG SMUT

INTRODUCTORY NOTE

Because of a temporary national shortage of feedstuffs and rail transportation, increased importations of feedstuffs became necessary. Australia being one of the immediate sources of supply for which water transportation was available, the prohibition against the importation of wheat from Australia contained in 7 C. F. R. § 319.59 [Flag Smut Quarantine, No. 59], was modified, on June 9, 1944, as an emergency measure, to permit the importation of this product by an agency of the Federal Government, under conditions prescribed for the purpose of preventing the danger of flag smut introduction into important wheat areas. Such importation was limited to six boatloads and to a period not to extend beyond November 30, 1944; the imported wheat was obtained in southern Australia where, according to available information, flag smut has not been reported since 1941; and entry and distribution was allowed for feed purposes only, and confined within the area in southern California where wheat is not an important crop. Because the last boatload cannot arrive in Los Angeles by November 30, 1944, the period in which importations may be made is extended to December 31, 1944.

AMENDMENT NO. 2 TO FLAG SMUT QUARANTINE NO. 59

Pursuant to the authority conferred on the Secretary of Agriculture by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 160), the subpart entitled "Flag Smut" of part 319, Chapter III, Title 7 of the Code of Federal Regulations [§ 319.59; B. E. P. Q.—Q. 59] is hereby further amended, effective November 30, 1944, by changing the closing date of the period during which importations may be made from November 30, 1944, to December 31, 1944. (Sec. 7, 37 Stat. 317; 7 U. S. C. 1940 ed. 160.)

Done at the city of Washington this 27th day of November 1944.

Witness my hand and the seal of the United States Department of Agriculture.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[Collector of Customs at Los Angeles, Calif., informed of above amendment by the Treasury Department.]

[Filed with the Division of the Federal Register, November 27, 1944, 3:22 p. m.; 9 F. R. 14095.]

ANNOUNCEMENTS RELATING TO FOREIGN PINK BOLLWORM QUARANTINE (NO. 8)

FOREIGN PINK BOLLWORM QUARANTINE REVISION

NOVEMBER 10, 1944.

Cottonseed produced and sterilized in portions of the State of Tamaulipas, Mexico, which are adjacent to the border, may now be imported into four counties of Texas, Secretary of Agriculture Wickard has announced in a revision of the foreign quarantine and regulations (effective November 11) on account of the pink bollworm of cotton. These counties are Starr, Hidalgo, Cameron, and Willacy, and they comprise the area in Texas contiguous to the portion of the Mexican State of Tamaulipas in which infestations of the pink bollworm are comparable.

The cottonseed produced and sterilized in the adjacent portion of Tamaulipas may move across the border into those counties, under permit, for subsequent milling and handling under the same conditions and safeguards that apply to cottonseed produced in the counties named. The movement can now be permitted, without increased risk to the cotton crop in the United States, through the efforts of the Departments of Agriculture of the United States and Mexico, which for several years have worked jointly to control this cotton pest in their respective territories adjacent to the border.

Since 1913 cottonseed and cottonseed hulls from all foreign countries and localities have been excluded from the United States on account of this insect, with the exception that importation could be made from the Imperial Valley of Lower California, Mexico. The revised quarantine also provides for the importation of cottonseed hulls produced from seed originating in the portion of Tamaulipas adjacent to the border and from seed which was sterilized during the ginning process and thereafter protected from contamination. In addition, the quarantine now recognizes as a part of the Imperial Valley that portion of the Valley which lies between San Luis Mesa and the Colorado River in the State of Sonora.

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—PINK BOLLWORM OF COTTON

(QUARANTINE NO. 8)

INTRODUCTORY NOTE

This revision of the pink bollworm quarantine and regulations makes provision for the entry of cottonseed and cottonseed hulls produced from sterilized seed in portions of the State of Tamaulipas, Mexico, adjacent to the United States.

This quarantine has excluded cottonseed and cottonseed hulls from all foreign localities and countries since 1913, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico, on account of the pink bollworm of cotton. Now it has been ascertained that comparable infestations of pink bollworm exist in parts of the lower Rio Grande Valley of Texas and a contiguous area of Mexico, and the Departments of Agriculture of Mexico and United States are jointly working to control the insect in their respective territories adjacent to the border. Hence entry can be made without increased risk to the cotton crop of the United States of (1) sterilized cottonseed produced in portions of the State of Tamaulipas for milling and handling subject to the same conditions as apply to the production and distribution of seed grown in contiguous area of Texas, and (2) cottonseed hulls produced from said sterilized seed.

At the same time the excepted locality of the Imperial Valley is extended to include a small portion of the Valley that extends into northwestern Sonora.

DETERMINATION OF THE SECRETARY OF AGRICULTURE

The Secretary of Agriculture, having determined that it was necessary to place an embargo against cottonseed and cottonseed hulls from all foreign countries to prevent the entry of an injurious insect known as the pink bollworm of cotton (*Pectinophora gossypiella* Saunders), new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, on May 28, 1913, promulgated Notice of Quarantine 319.8, Part 319, Chapter III, Title 7, Code of Federal Regulations, forbidding the importation into the United States of cottonseed of all species and varieties and cottonseed hulls from any foreign locality and country, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico.

Because of certain changes that have developed in the pink bollworm situation with respect to the United States and Mexico, the Secretary of Agriculture, having given, on July 19, 1944, a further public hearing in the matter, has determined that it is desirable to revise the aforesaid quarantine and supplemental regulations so as to permit, under suitable restrictions, the entry of cottonseed and cottonseed hulls from portions of the State of Tamaulipas, Mexico, adjacent to the United States, and also to extend the requirements now applicable in the Imperial Valley to that part of the Valley lying between San Luis Mesa and the Colorado River in the State of Sonora, Mexico.

ORDER OF THE SECRETARY OF AGRICULTURE

Pursuant to the authority conferred upon the Secretary of Agriculture by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 151 et seq.), the subpart entitled "Pink Bollworm of Cotton" of Part 319, Chapter III, Title 7, Code of Federal Regulations [B. E. P. Q.—Q. 8], as amended, is hereby revised to read as follows:

SUBPART—PINK BOLLWORM OF COTTON

[QUARANTINE No 8]

AUTHORITY: §§ 319.8 to 319.8–5 issued under secs. 5 and 7, 37 Stat. 316, 317; 7 U. S. C. 1940 ed. 159 and 160.

§ 319.8 *Notice of Quarantine.*—The fact has been determined by the Secretary of Agriculture that an injurious insect known as the pink bollworm of cotton (*Pectinophora gossypiella* Saunders), new to and not heretofore widely distributed within and throughout the United States, exists in many foreign countries. Under the authority conferred by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 151 et seq.), the Secretary of Agriculture hereby declares that it is necessary, in order to prevent the introduction into the United States of an injurious insect, to-wit, the pink bollworm of cotton, to forbid the importation into the United States of cottonseed of all species and varieties and cottonseed hulls from any foreign locality and country, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico, including that portion of the Valley in the State of Sonora lying between San Luis Mesa and the Colorado River, and the area in the State of Tamaulipas, Mexico, adjacent to the United States, comprising the municipios of Guerrero, Mier, Camargo, Reynosa, Matamoros, Mendez, and San Fernando.

Hereafter and until further notice, by virtue of said Plant Quarantine Act, as amended, the importation for any purpose of cottonseed and cottonseed hulls from all foreign localities and countries, excepting only the locality of the Imperial Valley in the Territory of Baja California, Mexico, including that portion of the Valley in the State of Sonora lying between San Luis Mesa and the Colorado River, and the aforesaid area in the State of Tamaulipas, Mexico, is prohibited. Cottonseed and cottonseed hulls from the excepted locality and area in Mexico may be imported in accordance with the regulations promulgated supplemental to this quarantine.

REGULATIONS GOVERNING THE ENTRY OF COTTONSEED AND COTTONSEED HULLS FROM THE EXCEPTED LOCALITY AND AREA OF MEXICO

§ 319.8–1 *Applications for and issuance of permits.*—Persons desiring to import cottonseed and cottonseed hulls shall submit to the Bureau of Entomology and Plant Quarantine an application stating the name and address of the importer, the approximate quantity of cottonseed or cottonseed hulls which it is desired to import, the United States port of entry, the approximate date of arrival, the place of origin in the Imperial Valley, Mexico, or in the area in the State of Tamaulipas, Mexico, specified in § 319.8, and in the case of cottonseed from the specified area in Tamaulipas, the mill approved by the Chief of the Bureau of Entomology and Plant Quarantine, at which the seed will be crushed. Upon receipt of such application and after approval by the Chief of the Bureau of Entomology and Plant Quarantine, a permit will be issued authorizing the importation from the Imperial Valley, Mexico, or the specified area in the State of Tamaulipas subject to the restrictions and requirements set forth in §§ 319.8–2 to 319.8–5.

§ 319.8–2. *Refusal of permits.*—Permits for the entry of cottonseed and cottonseed hulls from the Imperial Valley, Mexico, may be refused and existing permits may be canceled, unless effective quarantine measures are maintained by the duly authorized officials of Mexico, prohibiting the entry into Baja, California, of cottonseed, seed cotton, cottonseed hulls, and lint cotton, baled or unbaled, grown in other parts of Mexico or in foreign countries other than the United States.

Permits for the entry of cottonseed and cottonseed hulls originating in the area in the State of Tamaulipas, Mexico. specified in § 319.8, may be refused and existing permits canceled, unless effective quarantine measures are maintained by the duly authorized officials of Mexico, prohibiting the movement into the said specified area of cottonseed and seed cotton from other infested areas of Mexico, or from foreign countries other than the United States, and requiring the sterilization within such specified area of cottonseed in the ginning process and the subsequent handling of the sterilized seed to prevent contamination.

§ 319.8–3. *Notice of arrival.*—Immediately upon the arrival of the cottonseed or cottonseed hulls at the port of entry the permittee shall submit in duplicate a notice, through the collector of customs, on forms provided for that purpose (Form EQ–368).

§ 319.8–4 *Conditions of entry of cottonseed and cottonseed hulls.*—Cottonseed and cottonseed hulls from the Imperial Valley, Mexico, or the area in the State of Tamaulipas, Mexico, specified in § 319.8, shall not be entered or delivered to the importer or consignee until the collector of customs shall have received a notice in writing from an inspector of the United States Department of Agriculture that such cottonseed and cottonseed hulls have been inspected by him or under his direction, and found to be free from infestation or infection. Each importation shall be subject to such inspection as may be necessary to determine its freedom from injurious insects and plant diseases and to such treatment as may be necessary in connection with pests found present. All charges for storage, cartage, and labor incident to inspection, other than the services of the inspector, shall be paid by the importer.

§ 319.8–5 *Other conditions governing the entry of cottonseed and cottonseed hulls from the specified area in the State of Tamaulipas, Mexico.*—(a) Cottonseed to be eligible for importation into the United States from the area in the State of Tamaulipas, Mexico, specified in § 319.8 also must:

(1) Originate in the municipios of Guerrero, Mier, Camargo, Reynosa, Matamoros, Mendez, and San Fernando, in the State of Tamaulipas.

(2) Have been sterilized during the ginning process, stored in a manner to prevent subsequent contamination, and otherwise handled in a manner and

under supervision satisfactory to the Chief of the Bureau of Entomology and Plant Quarantine.

(3) Be accompanied by either a certificate signed jointly by a responsible official of the Mexican Department of Agriculture and by an inspector of the United States Department of Agriculture or by separate certificates one of which is signed by a responsible official of the Mexican Department of Agriculture and the other signed by an inspector of the United States Department of Agriculture, that the products comply with subparagraphs (1) and (2) above.

(4) Be consigned to a destination within, and move into the area of the State of Texas comprising the counties of Cameron, Hidalgo, Starr, and Willacy, where the degree of infestation of the pink bollworm is comparable to that in the adjacent specified area of origin in the State of Tamaulipas, Mexico.

(5) After importation, be handled and crushed under supervision of an inspector of the United States Department of Agriculture in accordance with the requirements of the regulations supplemental to Domestic Pink Bollworm Quarantine No. 52 (7 CFR §§ 301.52–1 to 301.52–12), as applicable to cottonseed produced in the counties of Cameron, Hidalgo, Starr, and Willacy of the State of Texas.

(6) Be imported only during the period of seasonal operation of the mills for crushing cottonseed of United States origin under supervision of inspectors of the United States Department of Agriculture.

(b) Cottonseed hulls to be eligible for importation from the area in the State of Tamaulipas, Mexico, specified in § 319.8, must be certified by an inspector of the United States Department of Agriculture as having been produced from cottonseed originating in the said specified area and from cottonseed which was sterilized during the ginning process and thereafter protected from contamination in manner and under supervision satisfactory to the Chief of the Bureau of Entomology and Plant Quarantine.

This revision of the quarantine and regulations shall be effective on and after November 11, 1944, and shall supersede the quarantine and regulations promulgated May 28, 1913, and amendments thereto.

Done at Washington, D. C., this 9th day of November 1944.

Witness my hand and the seal of the United States Department of Agriculture.

CLAUDE R. WICKARD,
Secretary of Agriculture.

[Copies of the foregoing revision were sent to all American Diplomatic and Consular Officers through the Department of State.]

[Filed with the Division of the Federal Register, November 10, 1944, 11:32 a. m.; 9 F. R. 13513.]

INSTRUCTIONS TO COLLECTORS OF CUSTOMS

PLANT QUARANTINE ACT—PINK BOLLWORM OF COTTON (QUARANTINE NO. 8)

REGULATIONS GOVERNING THE ENTRY OF COTTONSEED AND COTTONSEED HULLS FROM THE EXCEPTED LOCALITY AND AREA OF MEXICO (T. D. 51164)

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C., December 8, 1944.

To Collectors of Customs and Others Concerned:

The appended copy of a revision of Quarantine No. 8, with supplemental regulations, governing the importation of cottonseed and cottonseed hulls from Mexico, issued by the Department of Agriculture, effective on and after November 11, 1944, is published for the information and guidance of collectors of customs and others concerned.

The number of this Treasury decision shall be inserted as a marginal reference for section 12.10, Customs Regulations of 1943.

W. R. JOHNSON,
Commissioner of Customs.

[Then follows the text of the quarantine.]

ANNOUNCEMENTS RELATING TO PINK BOLLWORM QUARANTINE (NO. 52)

COTTON PINK BOLLWORM QUARANTINE REVISED

NOVEMBER 8, 1944.

The pink bollworm quarantine and regulations were revised effective November 9, 1944, the Secretary of Agriculture announced today, to add to the regulated area several counties in southern Texas and to classify as heavily infested four Texas counties and parts of two others in the lower Rio Grande Valley that were heretofore considered as lightly infested.

As an additional safeguard in the movement of cottonseed, the new regulations require that cottonseed produced in heavily infested area and moved to contiguous lightly infested area for processing is subject to two heat treatments. Okra seed and both dry and edible okra pods are now listed with the restricted articles. Only the fresh pods were heretofore included and they may continue to be certified for movement from the regulated areas.

The newly regulated counties in Texas are Aransas, Atascosa, Bee, Caldwell, Gonzales, Guadalupe, Hays, Karnes, Refugio, San Patricio, Wilson, and those parts of Live Oak and McMullen Counties that were not heretofore under regulation. The Valley counties that were changed in status from lightly infested to heavily infested area are Cameron, Hidalgo, Starr, Willacy, and parts of El Paso and Hudspeth.

The area now under regulation is made up of southern and south-central Arizona and New Mexico, two parishes and part of a third in southwestern Louisiana, and 64 entire Texas counties and parts of 2 others located in the Panhandle and Big Bend areas on the west, the lower Rio Grande Valley, and the Coastal Bend on the east. This new order supersedes all previous revisions of the quarantine.

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE

(QUARANTINE NO. 52)

INTRODUCTORY NOTE

This revision of the quarantine and regulations is made primarily for the purpose of extending the regulated areas to include recently found infestations of the pink bollworm in southern Texas; to classify as heavily infested certain counties that were heretofore considered as lightly infested; to place additional restrictions, at point of origin or destination, on the movement of cottonseed produced in heavily infested areas to designated oil mills located within contiguous lightly infested areas (§ 301.52–4 (c)); and to remove restrictions with regard to the production of okra in lightly infested areas. The newly added area is comprised of the Texas counties of Aransas, Atascosa, Bee, Caldwell, Gonzales, Guadalupe, Hays, Karnes, Refugio, San Patricio, Wilson, and those parts of McMullen and Live Oak Counties not heretofore under regulation. Although no pink bollworms were found at gins or in the cotton fields of Aransas, Atascosa, Gonzales, Guadalupe, Hays, and McMullen Counties, it is necessary to include them because they are part of a continuous area without natural barriers in which there is intercounty ginning.

The requirement for the certification of cotton linters produced from sterilized cottonseed in authorized oil mills for interstate movement from all regulated areas has been incorporated in the revised regulations as paragraph (b) of § 301.52–4.

DETERMINATION OF THE SECRETARY OF AGRICULTURE

The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Arizona, Louisiana, New Mexico, and Texas to prevent the

spread of infestations of the pink bollworm (*Pectinophora gossypiella* Saund.), a dangerous insect new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated a revision of Notice of Quarantine 301.52, part 301, chapter III, title 7, Code of Federal Regulations, and regulations supplemental thereto, governing the movement of carriers of the pink bollworm from any of the above-named States into or through any other State or Territory or District of the United States, §§ 301.52–1 to 301.52–12, inclusive, part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 52, effective May 1, 1944].

The Secretary has determined that it is necessary to extend the regulated areas in Texas, to classify as heavily infested area certain counties heretofore designated as lightly infested, to make certain revisions with respect to the interstate movement of okra and cottonseed, and to make other modifications.

ORDER OF THE SECRETARY OF AGRICULTURE

Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), the subpart entitled "Pink Bollworm" of part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 52, as revised] is hereby further revised to read as follows:

SUBPART—PINK BOLLWORM

(QUARANTINE NO. 52)

AUTHORITY: §§ 301.52 to 301.52–12 issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 1940 ed. 161.

§ 301.52. *Notice of Quarantine.*—Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), the Secretary of Agriculture quarantines the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of the pink bollworm. Hereafter (1) okra, including all parts of the plant; (2) cotton, wild cotton, including all parts of either cotton or wild cotton plants, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, gin waste, cottonseed, cottonseed hulls, cottonseed cake, and meal; (3) bagging and other containers and wrappers of cotton and cotton products; (4) railway cars, boats, and other vehicles which have been used in conveying regulated cotton products or which are fouled with such products; (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment; shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from the States of Arizona, Louisiana, New Mexico, or Texas into or through any other State or Territory or District of the United States in manner or method or under conditions other than those prescribed in the regulations supplemental hereto and amendments thereof: *Provided*, That the restrictions of this quarantine and of the regulations supplemental hereto may be limited to such areas, within the quarantined States, as are now or may hereafter be designated by the Secretary of Agriculture as regulated areas, adequate, in his judgment, to prevent the spread of the pink bollworm, except that any such limitation shall be conditioned upon the affected State or States providing for and enforcing the control of the intrastate movement of the restricted articles under the conditions which apply to their interstate movement under provisions of the Federal quarantine regulations, currently existing, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: *Provided further*, That whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation shall be made less stringent, whereupon such modification shall become effective for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

Regulations

MEANING OF TERMS

§ 301.52–1. *Definitions.*—For the purpose of these regulations the following words, names, and terms shall be construed respectively to mean:

(a) *Pink bollworm.*—The insect known as the pink bollworm of cotton (*Pectinophora gossypiella* Saund.), in any stage of development.

(b) *Cotton and cotton products.*—Cotton and wild cotton plants of the genera *Gossypium* and *Thurberia*, and products of these plants, including seed cotton; cottonseed; cotton lint and linters, and all forms of unmanufactured cotton fiber; cottonseed hulls, cake, and meal; gin waste; and all other parts of such plants.

(c) *Seed cotton.*—All forms of cotton lint from which the seed has not been separated.

(d) *Lint.*—All forms of unmanufactured cotton fiber except linters.

(e) *Linters.*—All forms of unmanufactured cotton fiber separated from cotton seed after the lint has been removed.

(f) *Certificate.*—An approved document issued by an inspector evidencing the apparent freedom of restricted articles from the pest.

(g) *Limited permit.*—An approved document issued by an inspector to allow movement of noncertified, restricted articles to or from authorized and designated gins, oil mills, and processing or manufacturing plants. Limited permits will cover all interstate movements of restricted articles while in the process of being made eligible for certification.

(h) *Dealer-carrier permit.*—An approved document issued to persons or firms engaged in ginning, manufacturing, or processing restricted articles for subsequent interstate movement from regulated areas, and to persons or firms moving restricted articles interstate from regulated areas.

(i) *Infestation or infested areas.*—Infested by pink bollworm.

(j) *Moved or movement.*—Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from any regulated area interstate to points outside thereof.

(k) *Inspector.*—An authorized inspector of the United States Department of Agriculture.

(l) *Okra (Hibiscus esculentus).*—Okra plants and products of the plants including seed and edible and dry pods.

AREAS UNDER REGULATION

§ 301.52–2. *Regulated areas.*—The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

Heavily infested areas.—Texas.—Counties of Brewster, Cameron, Culberson, Jeff Davis, Hidalgo, Hudspeth, Presidio, Starr, Terrell, Willacy, and that part of *El Paso County* lying east of an imaginary line extending due north from the Texas-Mexico boundary to the point near U. S. Highway 80, where secs. 4, 5, 8 and 9, T. 29 S., R. 4 E. have a common corner; thence due north to the Texas-New Mexico boundary.

Lightly infested areas.—Arizona.—Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of *Pima County*[1] except that part lying west of the western boundary line of range 8 east.

Louisiana.—The entire parishes of Cameron and Calcasieu and that part of Jefferson Davis Parish lying south of the township line between Tps. 8 and 9 S.

New Mexico.—Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, Socorro, and Valencia.

Texas.—Counties of Andrews, Aransas, Atascosa, Bee, Brazoria, Brooks, Caldwell, Calhoun, Concho, Crane, Dawson, Dimmit, Duval, Ector, Frio, Gaines, Glasscock, Gonzales, Guadalupe, Hays, Howard, Irion, Jim Hogg, Jim Wells, Karnes, Kenedy, Kleberg, La Salle, Live Oak, Loving, Martin, Matagorda, Maverick, McMullen, Midland, Mitchell, Nueces, Pecos, Reeves, Refugio, San Patricio, Schleicher, Sterling, Terry, Tom Green, Upton, Ward, Webb, Wilson, Winkler, Yoakum, Zapata, and Zavala; that part of *Coke County* lying southwest of and including the right-of-way of Highway No. 87; that part of *El Paso County* lying west of an imaginary line extending due north from the Texas-Mexico boundary

[1] Part of the lightly infested area in Arizona is regulated on account of the Thurberia weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

to the point near U. S. Highway 80 where secs. 4, 5, 8 and 9, T. 29 S., R. 4 E. have a common corner; thence due north to the Texas-New Mexico boundary; and that part of *Jackson County* lying south of a line beginning at a point where East Carancahua Creek crosses the Jackson-Matagorda County line; thence southwestward along East Carancahua Creek and Carancahua Bay to the southeast corner of a 2,408-acre tract belonging to L. Ward out of the James Pierce survey; thence west along the south line of the above-described Ward tract to the east line of the James Morgan survey; thence north along the east line of the James Morgan survey about 1,660 varas to the northeast corner of the 1,943-acre league out of the James Morgan survey owned by the Mrs. Addie Coats' Estate; thence west along the north line of the above-described league owned by the Mrs. Addie Coats' Estate to the left (east) bank of the Lavaca River; thence southward along the left bank of the Lavaca River and Lavaca Bay to the Calhoun-Jackson County line (that part of the line from the East Carancahua Creek and Carancahua Bay to the Lavaca River being the northern boundary of the B. F. Ward School District (No. 15) of Jackson County).

RESTRICTED ARTICLES

§ 301.52–3. *Articles the interstate movement of which is restricted or prohibited.*—(a) *Articles prohibited movement.*—The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products (other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake) is prohibited.

(b) *Articles the interstate movement of which is limited.*

(1) *Seed cotton.*—The interstate movement of seed cotton will be allowed only from lightly infested area to contiguous regulated area for the purpose of ginning for which movement no permit is required.

(2) *Cottonseed produced in heavily infested area.*—The interstate movement of cottonseed produced within a heavily infested area to points outside such area will be limited to contiguous lightly infested area under the conditions provided in § 301.52–4 (c) (2) either for planting therein or for processing in designated authorized oil mills.

(c) *Articles authorized interstate movement.*—Cotton lint and linters, either baled or unbaled, cottonseed produced in lightly infested area, cottonseed hulls, meal, and cake, and okra may be moved interstate (1) from regulated area to points outside thereof, or (2) from regulated area to noncontiguous regulated area, or (3) from heavily infested to contiguous lightly infested area, only when accompanied by a certificate or permit as hereinafter provided. No certificates or permits are required for the interstate movement of articles listed in this paragraph from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested area.

CONDITIONS OF ISSUANCE OF CERTIFICATES OR PERMITS

§ 301.52–4. *Conditions governing the issuance of certificates.*—(a) *Cotton lint.*—A certificate may be issued for the interstate movement of baled cotton lint originating in a regulated area when said cotton lint has been produced in an approved gin and has been given any one of the following treatments under the supervision of an inspector and subsequently protected from contamination: (1) Passed in bat form between approved heavy steel rollers set not more than 1/64-inch apart; or (2) given approved vacuum fumigation; or (3) given standard or high density compression: *Provided*, That lint cotton from Presidio and Brewster Counties, Tex. (part of the heavily infested area) may be moved interstate only when treated as specified under above subparagraphs (1) or (2) of this paragraph.

(b) *Cotton linters.*—Certificates may be issued for the interstate movement of linters from any regulated area when produced from sterilized seed in an approved oil mill, and subsequently protected from contamination.

(c) *Cottonseed.*

(1) *From lightly infested area.*—A certificate may be issued for the interstate movement of cottonseed originating in a lightly infested area, to any destination, when produced in an approved gin within the area after said seed has been heated to a temperature of 150° F. for a minimum period of 30 seconds, as a part of the continuous process of ginning, under the supervision of an inspector, and subsequently protected from contamination: *Provided*, That heat treatment incidental to certification may be accomplished at plants designated by

the Chief of the Bureau of Entomology and Plant Quarantine as provided in § 301.52–5.

(2) *From heavily infested area.*—Limited permits may be issued for interstate movement of cottonseed originating in heavily infested area after the seed has been treated under supervision in a manner prescribed by the Chief of the Bureau of Entomology and Plant Quarantine, and when it is consigned only to contiguous lightly infested area for planting therein.

All other cottonseed originating in a heavily infested area will be authorized interstate movement under a limited permit only to contiguous lightly infested area for processing therein in an oil mill designated and authorized by authority of the Chief of the Bureau of Entomology and Plant Quarantine under the following conditions: When the seed has been treated and protected as provided hereinabove for the lightly infested area, and (*a*) when given a second heat treatment at a temperature of 155° F. for a minimum period of 60 seconds under the supervision of an inspector, at a plant operated separate and apart from the gin or gins which applied the initial heat treatment as a part of the continuous process of ginning, and when the seed has been subsequently protected from contamination; or (*b*) when the seed is given, under the supervision of an inspector, the foregoing second heat treatment at the designated oil mill, on arrival. The cars or other vehicles conveying the seed to the designated oil mills must be cleaned and sterilized, under the supervision of an inspector, immediately after unloading. This applies to seed given the second heat treatment either under (*a*) or (*b*) hereinabove prescribed.

(d) *Cotton seed hulls, cake, and meal.*—Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector, and subsequently protected from contamination.

(e) *Samples of cotton lint and linters.*—A certificate may be issued for the interstate movement of samples of lint cotton and linters (approximately 1½ pounds) originating in a regulated area without restrictions other than that the bales of lint cotton or linters from which the samples have been taken have been produced in an approved gin or oil mill and subsequently protected from contamination.

(f) *Okra.*—Certificates may be issued for the interstate movement of edible okra produced in a heavily infested area under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine. Okra produced in a lightly infested area under such conditions as to render it free from infestation may move interstate without treatment or certification.

PERMITS FOR LIMITED MOVEMENT

§ 301.52–5. *Limited permits.*—Limited permits will be issued for the movement of noncertified, restricted articles to such gins, oil mills, or processing or manufacturing plants as may be authorized and designated by authority of the Chief of the Bureau of Entomology and Plant Quarantine for manufacturing, processing, or treatment incidental to preparing such products for certification. As a condition of such authorization and designation, operators of gins, oil mills, or manufacturing, or processing plants must agree in writing to handle restricted articles as to segregation of processed and nonprocessed products, efficient functioning of processing equipment, disposition of waste, use of uncontaminated containers of processed products, prevention of contamination of processed products, and the maintenance of identity of regulated and nonregulated products necessary to prevent the spread of the pink bollworm; and to maintain such other sanitary safeguards and restrictions against the establishment and spread of infestation as may be required by the inspector.

ARTICLES ORIGINATING IN NONREGULATED AREA

§ 301.52–6 *Restricted articles originating outside the regulated area.*—Restricted articles originating outside the regulated area may be certified for interstate movement from a regulated area without processing, treatment, or sterilization: *Provided*, That while in the regulated area these products have been handled and stored in such a manner as to maintain identity, and as to prevent infestation or contamination with other restricted articles originating in the regulated area.

CLEANING OF CARS, CONTAINERS, AND OTHER COMMODITIES

§ 301.52–7. *Cleaning or treating requirements of other articles when contaminated with cotton or cotton products originating within a regulated area.*—When contaminated with cotton or cotton products originating within a regulated area, railway cars, trucks, or other vehicles, cotton bagging, or other containers of cotton, cotton processing machinery, farm household goods, farm equipment, farm products, or any other articles shall not be moved interstate from a regulated area until freed from such contamination to the satisfaction of an inspector, after which cleaning or treatment no certificate or permit will be required except for cotton bagging, or other containers of cotton, and cotton processing machinery.

DEALER-CARRIER PERMITS

§ 301.52–8. *Dealer-carrier permits.*—As a condition of issuance of certificates or limited permits for the interstate movement of restricted articles handled by persons or firms engaged in purchasing, assembling, ginning, processing, or carrying such restricted articles originating or stored in regulated areas, such persons or firms shall make application for a dealer-carrier permit to the Bureau of Entomology and Plant Quarantine, San Antonio 6, Tex., and agree to maintain an accurate record of receipts and sales, shipments or services, when so required (which record shall be available at all times for examination by an inspector), and agree to carry out any and all conditions, treatments, precautions, and sanitary measures which may be required.

CERTIFICATES MAY BE CANCELED

§ 301.52–9. *Cancelation of certificates.*—Any certificates, limited permits, or dealer-carrier permits issued under these regulations may be withdrawn or canceled and further certificates or permits refused, whenever, in the judgment of the Bureau of Entomology and Plant Quarantine, the further use of such certificates or permits might result in the dissemination of the pink bollworm.

TREATMENT METHODS SUBJECT TO CHANGE

§ 301.52–10. *Alternate treatments to be prescribed by the Chief of the Bureau.*—When more effective methods of treatment, processing, or sterilization shall have been developed or when methods of treatment, processing, or sterilization as stipulated in the regulations hereof are found unsatisfactory by the Chief of the Bureau of Entomology and Plant Quarantine, he is authorized to alter them or substitute other requirements.

CERTIFICATION AND MARKING

§ 301.52–11. *General certification provisions and marking and labeling requirements.*—To obtain certificates or limited permits under these regulations application shall be made either to the local inspector or to the Bureau of Entomology and Plant Quarantine, Federal Building, San Antonio 6, Tex.[2]

Certificates or permits required under these regulations shall be securely attached to the outside of each container of restricted articles, or, in the case of carlot or bulk shipments by freight, to the waybills or other shipping papers which accompany the shipment. In the case of movement by road vehicle, such certificate or permit shall accompany the vehicle. Each container of restricted articles so moved shall bear such marking and labeling as may be necessary, in the judgment of the inspector, to identify the material.

The United States Department of Agriculture shall not be responsible for any costs incident to inspection or treatment, other than the services of inspectors.

ARTICLES FOR EXPERIMENTAL AND SCIENTIFIC PURPOSES

§ 301.52–12. *Shipments for experimental and scientific purposes.*—Products and articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

---

[2] See appendix for list of field stations.

This revision of the quarantine and regulations shall be effective on and after November 9, 1944, and shall supersede the quarantine and regulations promulgated April 27, 1944.

Done at Washington, D. C., this 7th day of November 1944.

Witness my hand and the seal of the United States Department of Agriculture.

CLAUDE R. WICKARD,
Secretary of Agriculture.

APPENDIX

FIELD HEADQUARTERS AND STATIONS

Applications for certificates or permits may be made to the field project leader, addressing Pink Bollworm Control, Bureau of Entomology and Plant Quarantine, P. O. Box 798, or Room 571 Federal Building (Telephone F–7141–275), San Antonio 6, Tex., or the nearest inspector.

Inspectors may be reached by addressing Pink Bollworm Inspector, Bureau of Entomology and Plant Quarantine, at the following field stations:

ARIZONA

Address	Town	Telephone
P. O. Box 205, 405 North Morrison Street	Casa Grande	274
P. O. Box 262, 114 East Avenue	Glendale	254
202 Security Building	Phoenix	4-4062
P. O. Box 246, 309 Post Office Building	Safford	132
P. O. Box 924, 311 Post Office Building	Tucson	1-960

LOUISIANA

P. O. Box 106. Contact the State Entomologist, Mr. W. E. Anderson, P. O. Box 4153 Capital Station, Baton Rouge 4, La.	Jennings	

NEW MEXICO

P. O. Box 784, 210 North Canyon Street	Carlsbad	513-W
P. O. Box 849	Las Cruces	298

TEXAS

P. O. Box 482, Beilen & Charles Building	Alice	970
Room 2, Bay City Bank & Trust Building	Bay City	595
General Delivery	Beeville	
P. O. Box 269, 507 Petroleum Building	Big Spring	1564
P. O. Box 148	Brownfield	
843 S. E. Elizabeth Street	Brownsville	327
306 U. S. Court House	Corpus Christi	2-7613
P. O. Box 432, 207 West Harriman Street	Edinburg	18
11 U. S. Court House	El Paso	Main 3295
P. O. Box 27	Fabens	54
P. O. Box 592, 423 Embee Building	Harlingen	616
P. O. Box 67, Post Office Building	Lamesa	138-J
P. O. Box 141, 206 Franklin Building	Laredo	930
P. O. Box 1615, 209 Federal Building	Lubbock	5001
P. O. Box 1094, 1308 Chicago Avenue	McAllen	663
P. O. Box 485	Mercedes	
P. O. Box 188, 306 Federal Building	Pecos	57
P. O. Box 264	Port Lavaca	
P. O. Box 528	Presidio	14
P. O. Box 706, 253 South Seventh Street	Raymondville	258
P. O. Box 141	Rio Grande City	
Room 3, State National Bank Building	Robstown	127
P. O. Box 650, 507 Rust Building	San Angelo	6338
P. O. Box 1963, 636 South Sam Houston Street	San Benito	730
General Delivery	Sinton	175
P. O. Box 426, 107-½ Fourth Street	Weslaco	

[Copies of the foregoing revision were sent to all common carriers doing business in or through the quarantined States.]

[Filed with the Division of the Federal Register, November 8, 1944, 11:14 a. m.; 9 F. R. 13276.]

629453—45——3

Instructions to General Public Through Newspapers

United States Department of Agriculture,
Washington, D. C., November 7, 1944.

Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), has revised effective November 9, 1944, the pink bollworm quarantine (Quarantine No. 52) and regulations to include in the regulated area the entire Texas counties of Aransas, Atascosa, Bee, Caldwell, Gonzales, Guadalupe, Hays, Karnes, Live Oak, McMullen, Refugio, San Patricio, and Wilson; to classify as heavily infested certain counties that were heretofore considered as lightly infested; to place additional restrictions on cottonseed produced in heavily infested areas and moved to oil mills in contiguous lightly infested areas; and to make certain changes as to the certification of okra seed and okra pods. Copies of the revised quarantine and regulations may be obtained from the Bureau of Entomology and Plant Quarantine, Washington, D. C.

Claude R. Wickard,
Secretary of Agriculture.

[The foregoing notice was published in the following newspapers: The Arizona Republic, Phoenix, Ariz., November 16, 1944; the Times-Picayune, New Orleans, La., November 15, 1944; the Journal, Albuquerque, N. Mex., November 15, 1944; the News, Dallas, Tex., November 15, 1944.]

Instructions to Postmasters

Post Office Department,
Third Assistant Postmaster General,
Washington 25, D. C., December 11, 1944.

Postmaster:

My Dear Sir: The enclosed copy of a revision of Plant Quarantine Order No. 52 of the United States Department of Agriculture, on account of the pink bollworm, effective November 9, 1944, adds newly quarantined areas in southern Texas, and otherwise modifies the provisions of the quarantine order. Postmasters in the affected areas will please take notice of the quarantine revision and be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations.

Very truly yours,

Ramsey S. Black,
Third Assistant Postmaster General.

PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

B. E. P. Q. 493, Fourth Revision

INTRODUCTORY NOTE

Under the pink bollworm quarantine regulations which are being revised simultaneously with the issuance of these instructions, the interstate movement of lint cotton from regulated area is conditioned upon its production in an approved gin and on the application of one of three designated types of treatment (§ 301.52–4 (a)). In a number of counties in northwestern Texas and adjacent area in New Mexico, the pink bollworm occurs only from time to time, several years elapsing in a given county between findings of infestation. It is therefore considered safe, under present conditions, to lift the treatment requirements on baled cotton lint originating in such lightly infested counties, when it is ginned and protected as required in these instructions.

§ 301.52–4b. *Administrative instructions designating the area in which baled cotton lint may be moved from certain lightly infested areas in New Mexico and Texas without treatment.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52, Chapter III, Title 7, Code of Federal Regulations [Notice of Quarantine No. 52, on account of the pink bollworm], and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (a) of § 301.52–4, notice is hereby given that certificates may be issued for the interstate movement of baled cotton lint,

without treatment from the following-designated counties when the lint has been produced in an authorized gin and subsequently protected from contamination:

New Mexico: Lea County.

Texas: Counties of Andrews, Concho, Dawson, Ector, Gaines, Glasscock, Howard, Irion, Martin, Midland, Mitchell, Schleicher, Sterling, Terry, Tom Green, Yoakum, and the regulated part of Coke County.

These instructions supersede those in circular B. E. P. Q. 493, third revision, dated April 12, 1944, and shall become effective November 9, 1944.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 CFR § 301.52; 7 U. S. C. 1940 ed. 161.)

Done at Washington, D. C., this 26th day of October 1944.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[Copies of above administrative instructions sent to all common carriers doing business in or through the quarantined area.]

[Filed with the Division of the Federal Register, November 8, 1944, 11:15 a. m.; 9 F. R. 13270.]

ANNOUNCEMENTS RELATING TO WHITE-FRINGED BEETLE QUARANTINE (NO. 72)

NOVEMBER 24, 1944.

WHITE-FRINGED BEETLE QUARANTINE REGULATIONS REVISED

The white-fringed beetle quarantine and regulations were revised, effective November 25, 1944, the Secretary of Agriculture announced today, for the purpose of extending the regulated areas to include additional sections in which the beetles have been located, and to remove from the regulated area the city of Baton Rouge, La., and vicinity, where a light, isolated infestation formerly existed.

Most of the newly added sections represent minor extensions in counties in Alabama and Mississippi that were within the regulated area in part. The additions in new counties and parishes include a section in Tangipahoa Parish, La., where an established infestation was found at Amite; a small area at Piney Woods, in Rankin County, Miss.; and in the North Carolina area, Eagles Island, near Wilmington, and part of a township in Pender County. There were no additions to the regulated areas in northwestern Florida.

Intensive inspection for the beetles was made during the 1944 season by Federal and State inspectors throughout the trade districts and along transportation lines within a radius of 50 miles of known infested areas, and a survey was made over large parts of North Carolina and South Carolina—26 counties—for such infestations. In this survey beetles were found at several places in North Carolina which are not now being placed under Federal quarantine, because these incipient infestations are limited in area and the slight hazard of spread involved is adequately covered by State quarantine.

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

[B. E. P. Q.—Q. 72]

PART 301—DOMESTIC QUARANTINE NOTICES

WHITE-FRINGED BEETLE QUARANTINE

INTRODUCTORY NOTE

This revision of the quarantine and regulations is made chiefly for the purpose of extending the regulated areas to include additional sections in which white-fringed beetle infestations have been located and to remove from the regulated area the small section in East Baton Rouge Parish, La., including the city of Baton Rouge, where a light, isolated infestation formerly existed. Most of the newly added sections represent minor extensions in counties in Alabama and

Mississippi that were within the regulated areas in part. The additions in new counties and parishes include Amite, La., and vicinity, in Tangipahoa Parish; a small area at Piney Woods, Rankin County, Miss.; Eagles Island, in Brunswick County, N. C., near Wilmington, and part of a township in Pender County, N. C.

DETERMINATION OF THE SECRETARY OF AGRICULTURE

The Secretary of Agriculture having determined that it was necessary to quarantine the States of Alabama, Florida, Louisiana, Mississippi, and North Carolina to prevent the spread of introduced species of the genus *Pantomorus*, subgenus *Graphognathus*, commonly known as white-fringed beetles, not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated a revision of Notice of Quarantine 301.72, part 301, chapter III, title 7, Code of Federal Regulations, and regulations supplemental thereto, governing the movement of live white-fringed beetles in any stage of development and carriers thereof, §§ 301.72 to 301.72–9, inclusive, Part 301, chapter III, Code of Federal Regulations (B. E. P. Q.—Q. 72, effective December 28, 1942, as amended effective January 14, 1944).

The Secretary of Agriculture has now determined that it is necessary to extend the regulated areas to include additional areas infested with white-fringed beetles and to remove from the regulated areas a section in Louisiana no longer found to be so infested.

ORDER OF THE SECRETARY OF AGRICULTURE

Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161) and the Insect Pest Act of March 3, 1905 (7 U. S. C. 1940 ed. 141, 143), the subpart entitled "White-fringed Beetle" of part 301, chapter III, title 7, Code of Federal Regulations (B. E. P. Q.—Q. 72) is hereby revised to read as follows:

WHITE-FRINGED BEETLE

(QUARANTINE NO. 72)

AUTHORITY: §§ 301.72 to 301.72–9 (a), inclusive (except § 301.72–2a), issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C., 1940 ed. 161. § 301.72–2a issued under sec. 1, 33 Stat. 1269; 7 U. S. C., 1940 ed. 141. § 301.72–9 (b) issued under sec. 3, 33 Stat. 1270; 7 U. S. C., 1940 ed. 143.

§ 301.72. *Notice of quarantine.*—Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161), the Secretary of Agriculture quarantines the States of Alabama, Florida, Louisiana, Mississippi, and North Carolina to prevent the spread of dangerous infestations of introduced species of the genus *Pantomorus*, subgenus *Graphognathus*, commonly known as white-fringed beetles, and under authority contained in the aforesaid Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 1940 ed. 141, 143), the Secretary of Agriculture prescribes regulations. Hereafter the following articles (as specifically named in the regulations supplemental hereto, in modifications thereof, or in administrative instructions as provided in the regulations supplemental hereto), which are capable of carrying the aforesaid insect infestations, viz. (1) nursery stock and other stipulated plants or plant products; (2) soil independent of, or in connection with, nursery stock, plants, or other products; and (3) other articles as stipulated in § 301.72–3; also (4) live white-fringed beetles in any stage of development, shall not be transported by any person, firm, or corporation from any quarantined State into or through any other State or Territory or District of the United States, under conditions other than those prescribed in the regulations supplemental hereto: *Provided*, That the restrictions of this quarantine and of the regulations supplemental hereto may be limited to such areas, within the quarantined States, as are now or may hereafter be designated by the Secretary of Agriculture as regulated areas, adequate, in his judgment, to prevent the spread of the white-fringed beetles, except that any such limitation shall be conditioned upon the affected State or States providing for and enforcing the control of the intrastate movement of the restricted articles under the conditions which apply to their interstate movement in provisions of the Federal quarantine regulations, currently existing, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the

intrastate spread therefrom of the said insect infestation: *And provided further*, That whenever, in any year, the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved, in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

REGULATIONS

MEANING OF TERMS

§ 301.72–1 *Definitions.*—(a) *The pests.*—Species of the genus *Pantomorus*, subgenus *Graphognathus*, commonly known as white-fringed beetles, in any stage of development.

(b) *Regulated area.*—Any area in a quarantined State which is now, or which may hereafter be, designated as regulated by the Secretary of Agriculture in accordance with the provisions of § 301.72, as revised.

(c) *Restricted articles.*—Products or articles of any character whatsoever, the interstate movement of which is restricted by the provisions of the white-fringed beetle quarantine, and the regulations supplemental thereto.

(d) *Nursery stock.*—Forest, field, and greenhouse-grown annual or perennial plants, for planting purposes.

(e) *Inspector.*—Duly authorized Federal plant-quarantine inspector.

(f) *Certificate.*—An approved document, issued by an inspector, authorizing the movement of restricted articles from the regulated areas.

(g) *Limited permit.*—An approved document, issued by an inspector, to allow controlled movement of noncertified articles to designated and authorized destinations for processing or other restricted handling.

(h) *Administrative instructions.*—Documents issued by the Chief of the Bureau of Entomology and Plant Quarantine relating to the enforcement of the quarantine.

(i) *Infested or infestation.*—Infested by white-fringed beetles, in any stage of development. (See (a) above.)

(j) *Infested area.*—That portion of the regulated area in which infestation exists, or in the vicinity of which infestation is known to exist under such conditions as to expose the area to infestation by natural spread of beetles, as determined by an authorized inspector.

AREAS UNDER REGULATION

§ 301.72–2 *Regulated areas.*—The following counties, parishes, cities, and towns, or parts thereof, as described, are designated by the Secretary of Agriculture as regulated areas:

Alabama.—In Baldwin County: Sec. 31, T. 7 S., R. 4 E.; secs. 35 and 36, T. 7 S., R. 3 E.; secs. 1, 2, 11, and 12, T. 8 S., R. 3 E.; and secs. 6 and 7, T. 8 S., R. 4 E.; *in Conecuh County:* W⅔ T. 5 N., R. 9. E., and all those parts of Tps. 5 and 6 N., R. 8 E., and W⅔ T. 7 N., R. 9 E. lying in Conecuh County; *in Covington County:* Secs. 30 and 31, T. 2 N., R. 18 E.; S½ T. 2 N., R. 17 E.; E½ T. 1 N., R. 15 E.; Tps. 1 N., Rs. 16, 17, and 18 E. and all area south thereof to the Alabama-Florida State line; secs. 10, 11, 14, and 15, T. 3 N., R. 18 E.; and all the town of Opp; *in Crenshaw County:* Secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E.; and secs. 3, 4, 5, and 6 T. 8 N., R. 18 E.; *in Dallas County:* That area included within a boundary beginning on the Southern Ry. where it crosses Bougechitto Creek; thence SW. along the Southern Ry. to Caine Creek; thence SE. along Caine Creek to its intersection with Bougechitto Creek; thence northward along Bougechitto Creek to the starting point; all of Tps. 13 and 14 N., R. 11 E.; and secs. 1, 12, 13, 24, 25, and 36, T. 14 N., R. 10 E.; *in Escambia County:* Secs. 1, 2, 11, 12, 13, 14, 32, 33, and 34, T. 1 N., R. 8 E., including all the town of Flomaton; *in Geneva County:* Secs. 31, 32, and 33, T. 1 N., R. 19 E., and all area south thereof to the Alabama-Florida State line, including all of secs. 21 and 28, T. 6 N., R. 19 W.; *in Lowndes County:* W⅔ T. 14 N., R. 12 E.; *in Mobile County:* That area included within a boundary beginning at a point where the eastern boundary of the city limits of Mobile, if

extended northward, would intersect the northern boundary of S ⅓ T. 3 S., R. 1 W.; thence west to Chickasaw Creek; thence northwestward along Chickasaw Creek to Eight-Mile Creek; thence westerly along Eight-Mile Creek to the western boundary of R. 1 W.; thence south to Eslava Creek; thence easterly along Eslava Creek to the city limits of Mobile; thence southeasterly following the city limits east, south, east, and north to the starting point, including all of Blakeley Island and the city of Mobile, as well as the subdivisions thereto; also that area beginning at the SW. corner sec. 8, T. 7 S., R. 4 W.; thence east to the SE. corner sec. 9, T. 7 S., R. 3 W.; thence north to the NE. corner sec. 4, T. 7 S., R. 3 W.; thence east to the SE. corner sec. 33, T. 6 S., R. 2 W.; thence north to the NE. corner sec. 28, T. 6 S., R. 2 W.; thence east to the SE. corner sec. 24, T. 6 S., R. 2 W.; thence north to a point where this line intersects Mill Creek; thence northwestward along Mill Creek to its intersection with U. S. Highway 90; thence south along U. S. Highway 90 to its intersection with old U. S. Highway 90; thence southwestward along old U. S. Highway 90 to the Alabama-Mississippi State line; thence south to the point of beginning; *in Monroe County:* That part of W⅔ T. 7 N. R. 9 E., lying in Monroe County; W⅔ T. 8 N., all of T. 9 N., and S½ T. 10 N., all in R. 9 E.; S½ T. 10 N., all of Tps. 7, 8, and 9 N., all in R. 8 E., and those parts of Tps. 5 and 6 N., R. 8 E. lying in Monroe County; SE¼ T. 10 N., R. 7 E.; E½ Tps. 7, 8, and 9 N., R. 7 E.; and the NE¼ T. 6 N., R. 7 E.; *in Wilcox County:* N½ T. 10 N., and all of T. 11 N., R. 9 E.; N½ T. 10 N., R. 8 E.; NE¼ T. 10 N., R. 7 E.; and NE¼ T. 10 N., R. 10 E.

Florida.—In Escambia County: All that part lying south of the northern boundary of T. 1 N., including all of the city of Pensacola, and that part of the county north of the southern boundary of T. 5 N. and east of the western boundary of R. 31 W.; *in Okaloosa County:* T. 5 N., R. 22 W., and secs. 1, 2, and 3, T. 5 N., R. 23 W., and all lands north of both areas to the Florida-Alabama State line; secs. 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 3 N., R. 23 W., including all of the town of Crestview; and secs. 13, 14, 23, and 24, T. 3 N., R. 24 W.; *in Walton County:* Tps. 5 N., Rs. 20 and 21 W.; and secs. 31, 32, and 33, T. 6 N., R. 19 W., and all lands north of both areas to the Florida-Alabama State line; also secs. 1 to 24, inclusive, T. 4 N., R. 19 W.

Louisiana.—All of Orleans Parish, including the city of New Orleans, and all of Saint Bernard Parish; *in Iberia Parish:* Secs. 24, 37, 38, 39, 53, 55, and 56, T. 13 S., R. 5 E.: and secs. 46, 55, 56, 57, 58, 59, and 60, T. 13 S., R. 6 E.: *in Jefferson Parish:* That part lying north of the township line between Tps. 14 and 15 S.; *in Plaquemines Parish:* That part lying north of the township line between Tps. 15 and 16 S.; *in Saint Tammany Parish:* Secs. 38, 39, and 40, T. 7 S., R. 11 E.; and secs. 40 and 41, T. 8 S., R. 11 E.; *in Tangipahoa Parish:* Secs. 32, 33, and 50, T. 3 S, R 7 E; secs 4, 5, 8, 9, 10, 50, and 54, T. 4 S., R. 7 E., including all the town of Amite.

Mississippi.—In Covington County: Tps. 8 N., Rs. 14 and 15 W.; S2/3 Tps. 8 N., Rs. 16 and 17 W.; N1/6 Tps. 7 N., Rs. 16 and 17 W.; T. 7 N., R. 15 W.; E1/2 T. 6 N., R. 15 W.; W1/2 T. 6 N., R. 14 W.; secs. 28, 29, 30, 31, 32, and 33 T. 7 N., R. 14 W.; *in Forrest County:* T.5 N., R. 14 W.; that part of T. 5 N., R. 13 W. lying west of Leaf River; that part of secs. 26, 34, and 35, and all of secs. 25 and 36 in T. 5 N., R. 13 W. lying east of Leaf River; Tps. 3 and 4 N., R. 13 W.; and that part of Tps. 3 and 4 N., R. 12 W. lying west and south of Leaf River; Tps. 1 and 2 N., R. 12 W.; T. 1 S., R. 12 W.; and E1/3 T., 1 S., R. 13 W.; *in Hancock County;* Secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 5 S., R. 14 W.; and Tps. 8 and 9 S., R. 14 W. including all the town of Bay Saint Louis; *in Harrison County:* That area included within a boundary beginning at the NE. corner secs. 30 T. 4 S., R. 10 W.; thence west along the county line to the NW. corner sec. 30, T. 4 S., R. 12 W.; thence south to the NE. corner sec. 1, T. 5 S., R. 13 W.; thence west to the NW. corner sec. 2, T. 5 S., R. 13 W.; thence south to the NE. corner sec. 27, T 7 S., R. 13 W.; thence west to the county line or the NW. corner sec. 30, T 7 S., R. 13 W.; thence south to the Mississippi Sound; thence eastward along the Mississippi Sound to a point of intersection with the Bay of Biloxi; thence westward along the Bay of Biloxi to the SE. corner sec. 16, T 7 S., R. 9 W.; thence north along the county line to the NE. corner sec. 33, T. 6 S., R. 9 W.; thence west to the NW. corner sec. 32, T. 6 S., R. 10 W.; and thence north to the point of beginning; *in Hinds County:* E1/2 T. 6 N., R. 3 W., and W1/3 T. 6 N., R. 2 W.; *in Jackson County:* That area included within a boundary beginning at a point where the east line of sec. 19 T. 7 S., R. 5 W. intersects Escatawpa River; thence west along said river to the Pascagoula River; thence south along the Pascagoula River to the township line between Tps. 7 and 8 S.; thence east to the SE. corner sec. 31, T. 7 S., R. 5 W.; thence north to the starting point; all that portion of T. 7 S., R. 9 W. lying in Jackson County and

the W2/3 Tps. 7 and 8 S., R. 8 W.; *in Jefferson Davis County:* Secs. 18, 19, 30, and 31, T. 8 N., R. 18 W.; secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 8 N., R. 19 W.; NE1/4 T. 7 N., R. 19 W.; and secs. 6, 7, and 18, T. 7 N., R. 18 W., including all of the town of Prentiss; *in Jones County:* N2/3 T. 8 N., R. 11 W.; S2/3 T. 9 N., R 11 W.; that part of N1/3 T. 9 N., R. 11 W. lying west of Tallahalla Creek and that part of T. 10 N., R. 11 W. in Jones County lying west of Tallahalla Creek; that part of E2/3 T. 10 N., R. 12 W. in Jones County; E2/3 T. 9 N., R. 12 W.; E2/3 and secs. 29, 30, 31, and 32, T. 8 N., R. 12 W.; N1/2 T. 7 N., R. 12 W.; secs. 25, 26, 27, 34, 35, and 36, T. 6 N., R. 14 W.; secs. 29, 30, 31, and 32, T. 6 N., R. 13 W.; and those parts of secs. 28 and 33 lying west of Leaf River in T. 6 N., R. 13 W.; *in Lamar County:* The town of Purvis and sec. 31, T. 1 N., R. 14 W.; secs. 35 and 36, T. 1 N., R. 15 W.; secs. 1 and 2, T. 1 S., R. 15 W.; and E1/3 Tps. 3 and 4 N., R. 14 W.; *in Pearl River County:* W1/2 T. 2 S., R. 15 W.; secs. 3, 4, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 1 S., R. 15 W.; secs. 1, 12, 13, 24, 25, and 36, T. 2 S., R. 16 W.; all of T. 5 S., R. 16 W., and E1/2 T. 5 S., R. 17 W.; *in Rankin County:* E1/2 T. 3 N., R. 2 E.; all of T. 3 N., R. 3 E.; *in Simpson County:* E2/3 T. 2 N., R. 3 E.; T. 2 N., R. 4 E.; N1/6 T. 1 N., R. 4 E.; *in Stone County:* W1/3 Tps. 2 and 3 S., R. 11 W.; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 4 S., R. 11 W.; E1/3 T. 2 S., R. 12 W. and secs. 3, 4, 5, 8, 9, and 10, T. 2 S., R. 12 W.; E1/3 T. 3 S., R. 12 W.; and secs. 1, 2, 11, 12, 13, 14, 23, and 24, T. 4 S., R. 12 W.

North Carolina.—Anson County: That area bounded on the east by a due north-south line 1 mile east of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road; on the west by a due north-south line intersecting U. S. Highway No. 74 at the point where it crosses Lanes Creek; on the north by a due east-west line 1.1 miles north of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road; and on the south by the southern corporate limits of Peachland extended; *in Brunswick County:* All of Eagles Island bounded in its entirety by the Brunswick, Northwest Cape Fear, and Cape Fear Rivers and their confluences; *in Cumberland County:* That area bounded on the south by Rockfish Creek; on the east by U. S. Highway No. 301; and on the north and west by a due east-west line and a due north-south line, respectively, both intersecting at the junction of the Cumberland-Hope Mills Road and the Fayetteville-Dundarrach Road; *in New Hanover County:* The city of Wilmington, Cape Fear Township; all that part of Harnett Township lying west of the Wrightsboro-Winter Park Road, including all of the town of Winter Park; and that part of Masonboro Township north of the new road between Sunset Park and Winter Park; *in Onslow County:* An area ½ mile wide along each side of U. S. Highway No. 17 beginning west of Jacksonville at the intersection of U. S. Highway No. 17 and N. C. Highway No. 24 and extending northeast along U. S. Highway No. 17 to the western boundary of the Hofmann Forest, including all the town of Jacksonville; *in Pender County:* Townships of Burgaw, Caswell, Long Creek, and Rocky Point; that part of Columbia Township lying south of an imaginary east-west straight line connecting the northern boundaries of Burgaw and Caswell Townships; and that part of Grady Township north of the Long Creek-Montague-Barrough Road; *in Wayne County:* Goldsboro Township.

ARTICLES PROHIBITED MOVEMENT

§ 301.72–2a. *Beetles prohibited shipment.*—The interstate shipping of living white-fringed beetles in any stage of development, whether moved independent of or in connection with any other article, is prohibited, except as provided in paragraph (b) of § 301.72–9.

ARTICLES RESTRICTED MOVEMENT

§ 301.72–3. *Restricted articles.*—Except as provided in administrative instructions, the interstate movement of the following articles from any regulated area is restricted throughout the year:

(a) Soil, sand, gravel, clay, peat, or muck, whether moved independent of, or in connection with or attached to nursery stock, plants, products, articles, or things.

(b) Compost, manure, moss, and leafmold.

(c) Nursery stock.

(d) Grass sod.

(e) Potatoes (white).

(f) True bulbs, corms, tubers, and rhizomes of ornamental plants.

(g) Hay.

(h) Peanuts in shells.
(i) Seed cotton, cottonseed, and baled cotton lint and linters.
(j) Scrap metal and junk.
(k) Forest products such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.
(l) Brick, tile, stone, and cinders.
(m) Concrete slabs, pipe, and building blocks.
(n) Implements, machinery, equipment, and containers.

CONDITIONS OF INTERSTATE MOVEMENT

§ 301.72–4. *Conditions governing interstate movement of restricted articles.*—(a) *Certification required.*—Restricted articles shall not be moved interstate from a regulated area to or through any point outside thereof unless accompanied by a valid inspection certificate issued by an inspector: *Provided*, That certification requirements as they relate to part or all of any regulated area may be waived, during part or all of the year, by the Chief of the Bureau of Entomology and Plant Quarantine, on his finding and giving notice thereof, in administrative instructions, that the State concerned has promulgated and enforced adequate sanitary measures on and about the premises on which restricted articles originate or are retained, or that adequate volunteer sanitary measures have been applied, or that other control or natural conditions exist which have eliminated the risk of contamination by the pests in any stage of development.

(b) *Use of certificate on shipments.*—Unless exempted by administrative instructions, every container of restricted articles moved interstate from any regulated area shall have securely attached to the outside thereof a certificate or permit issued in compliance with these regulations, except that in the case of shipments in bulk, by common carrier, a master permit attached to the shipping order, manifest, or other shipping papers, will be sufficient. In the case of shipments in bulk by road vehicle other than common carrier, a master permit shall accompany the vehicle. Master permits shall accompany shipments to destination and be surrendered to consignees on delivery.

(c) *Movement within continuous areas unrestricted.*—No certificates are required for interstate movement of restricted articles when such movement is wholly within continuous regulated areas.

(d) *Articles originating outside the regulated areas.*—No certificates are required for the interstate movement of restricted articles originating outside of the regulated areas and moving through or from a regulated area, when the point of origin is clearly indicated, when their identity has been maintained, and when the articles are protected, while in the regulated area, in a manner satisfactory to the inspector.

CONDITIONS OF CERTIFICATION

§ 301.72–5. *Conditions governing the issuance of certificates and permits.*—(a) *Approved methods.*—Certificates authorizing the interstate movement of soil, earth, sand, gravel, clay, peat, muck, or compost originating in noninfested parts of the regulated areas, and of all other restricted articles from any part of the regulated areas may be issued upon determination by the inspector that the articles are (1) apparently free from infestation; or (2) have been treated, fumigated, sterilized, or processed under approved methods; or (3) were grown, produced, manufactured, stored, or handled in such a manner that, in the judgment of the inspector, no infestation would be transmitted thereby. Certificates authorizing the interstate movement of soil, sand, gravel, clay, peat, muck, or compost, originating in an infested area may be issued only when such materials have been treated or handled under methods or conditions approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(b) *Limited permits.*—Limited permits may be issued for the movement of noncertified restricted articles to destinations and consignees as may be authorized and designated by the Chief of the Bureau of Entomology and Plant Quarantine for processing or other handling. As a condition of such authorization and designation, persons or firms shipping, receiving, or transporting such articles may be required to agree in writing to maintain such sanitary safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of restricted products and cleaning of railway cars, trucks, or other vehicles used in the transportation of such articles as may be required by the inspector.

(c) *Dealer-carrier permit.*—As a condition of issuance of certificates or permits for the interstate movement of restricted articles, persons or firms engaged in purchasing, assembling, exchanging, processing, or carrying such restricted articles originating or stored in regulated areas, may be required to execute a signed agreement stipulating that the permittee will carry out any and all conditions, treatments, precautions, and sanitary measures which may be deemed necessary.

PROCEDURE FOR APPLICANTS

§ 301.72–6. *Assembly of restricted articles for inspection.*—Persons intending to move restricted articles, the certification of which is required, interstate from regulated areas shall make application for certification as far as possible in advance of the probable date of shipment. Applications must show the nature and quantity of articles to be moved, together with their exact location, and if practicable, the contemplated date of shipment. Applicants for inspection may be required to assemble or indicate the articles to be shipped so that they may be readily examined by the inspector.

The United States Department of Agriculture will not be responsible for any cost incident to inspection or treatment other than the services of the inspector.

CERTIFICATES AND PERMITS MAY BE CANCELED

§ 301.72–7. *Cancelation of certificates or permits.*—Certificates or permits issued under these regulations may be withdrawn or canceled and further certification refused whenever, in the judgment of the Chief of the Bureau of Entomology and Plant Quarantine, the further use of such certificates or permits might result in the dissemination of infestation.

CLEANING OF VEHICLES

§ 301.72–8. *Cleaning of freight cars, trucks, and other vehicles.*—When in the judgment of the inspector a hazard of spread of infestation is presented, thorough cleaning of freight cars, trucks, and other vehicles may be required before movement interstate to points outside the regulated areas when such freight cars, trucks, or other vehicles have been used for the transportation of uncertified restricted articles within regulated areas.

SHIPMENTS FOR EXPERIMENTAL OR SCIENTIFIC PURPOSES

§ 301.72–9. (a) *Articles for experimental or scientific purposes.*—Articles subject to restrictions may be moved interstate for experimental or scientific purposes, on such conditions as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear an identifying tag from the Bureau of Entomology and Plant Quarantine.

(b) *Beetles for experimental or scientific purposes.*—Live white-fringed beetles, in any stage of development, may be moved interstate for scientific purposes only under conditions prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of white-fringed beetles so moved shall bear an identifying tag from the Bureau of Entomology and Plant Quarantine.

This revision of the quarantine and regulations shall be effective on and after November 25, 1944, and shall supersede the quarantine and regulations issued December 23, 1942, as amended January 12, 1944.

Done at Washington, D. C., this 23d day of November 1944.

Witness my hand and the seal of the United States Department of Agriculture.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

APPENDIX

STATE AND FEDERAL INSPECTION

Certain of the quarantined States have promulgated quarantine regulations restricting intrastate movement supplemental to the Federal quarantine. These State regulations are enforced in cooperation with the Federal authorities. Copies of either the Federal or State quarantine orders may be obtained at the office of the Bureau of Entomology and Plant Quarantine, Room 6, Gates-Cook

Building (Tel. 1591), P. O. Box 989, Gulfport, Miss., or through a White-fringed Beetle Inspector at one of the subsidiary offices.

GENERAL OFFICES OF STATES COOPERATING

Alabama: Chief, Division of Plant Industry, Montgomery.
Florida: Plant Commissioner, State Plant Board, Gainesville.
Louisiana: State Entomologist, Baton Rouge.
Mississippi: Entomologist, State Plant Board, State College.
North Carolina: State Entomologist, Department of Agriculture, Raleigh.

[Copies of the foregoing revision were sent to all common carriers doing business in or through the regulated areas.]

[Filed with the Division of the Federal Register, November 24, 1944, 11:12 a. m.; 9 F. R. 14003.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

UNITED STATES DEPARTMENT OF AGRICULTURE,
Washington, D. C., November 23, 1944.

Notice is hereby given that the Secretary of Agriculture under authority conferred on him by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 1940 ed. 161) has promulgated a revision, effective November 25, 1944, of the white-fringed beetle quarantine and regulations supplemental thereto (Notice of Quarantine No. 301.72), the purpose of which is to extend the regulated areas. The counties affected are: Covington, Escambia, Mobile, Monroe, and Wilcox, Ala.; Covington, Forrest, Harrison, Jones, Pearl River, Rankin, and Simpson, Miss.; Brunswick and Pender, N. C.; and Tangipahoa Parish, La. The section in East Baton Rouge Parish, La., has been removed from the regulated area.

Copies of the notice of revision may be obtained from the Bureau of Entomology and Plant Quarantine, Department of Agriculture, at Washington, D. C., or Gulfport, Miss., or Burgaw, N. C.

CHARLES F. BRANNAN,
Acting Secretary.

[The above notice was published in the following newspapers: The News, Birmingham, Ala., December 1, 1944; the Florida Times-Union, Jacksonville, Fla., December 2, 1944; the Times-Picayune, New Orleans, La., December 2, 1944; the Clarion-Ledger, Jackson, Miss., December 2, 1944; the Observer, Charlotte, N. C., November 30, 1944.]

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington 25, D. C., December 11, 1944.

POSTMASTER.

MY DEAR SIR: Attention is invited to the inclosed revision of Plant Quarantine Order No. 72 on account of the white-fringed beetle, together with B. E. P. Q. 485, Thirteenth Revision supplemental thereto, effective November 25 and 28, 1944, respectively, issued by the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture. Postmasters in the quarantined areas will please be governed accordingly. See paragraph 1, section 595, Postal Laws and Regulations, and article 62 (c), page 23 of the July 1943 Postal Guide.

Very truly yours,

RAMSEY S. BLACK,
Third Assistant Postmaster General.

WHITE-FRINGED BEETLE REGULATIONS MODIFIED

B. E. P. Q. 485, THIRTEENTH REVISION

§ 301.72a *Administrative instructions; modification of certification requirements for specified articles.*—Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.72 [Notice of Quarantine No. 72, on account of the white-fringed beetle], the certification requirements of §§ 301.72–4 and 301.72–5 of the regulations

revised effective November 25, 1944, are hereby modified as to the interstate movement of the following articles and materials enumerated in § 301.72–3:

(a) Certificates may be issued for the interstate movement of the following materials under the conditions specified below:

(1) Soil, sand, gravel, clay, peat, or muck, when taken from a depth of at least 2 feet below the existing surface, and when entirely free from any surface soil to a depth of 2 feet.

(2) Sand and gravel, when washed, processed, or otherwise treated to the satisfaction of the inspector.

(b) All certification requirements are waived for the following articles and materials when free from soil and when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector:

(1) Potatoes, except that those freshly harvested are not exempt.

(2) True bulbs, corms, tubers, and rhizomes of ornamental plants, except that those freshly harvested or uncured are not exempt.

(3) Hay, except that peanut hay is not exempt.

(4) Seed cotton, cottonseed, and baled cotton lint and linters.

(5) Scrap metal and junk.

(6) Forest products such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(7) Brick, tile, stone, and cinders.

(8) Concrete slabs, pipe, and building blocks.

(9) Implements, machinery, equipment, and containers.

REGULATED ARTICLES NOT AFFECTED BY THESE INSTRUCTIONS

(c) Certification is required for the following articles and materials enumerated in § 301.72–3:

(1) All soil, sand, gravel, clay, peat, or muck, whether moved independent of, or in connection with, or attached to nursery stock, plants, products, articles, or things.

(2) Compost, manure, moss, and leafmold.

(3) Nursery stock.

(4) Grass sod.

(5) Potatoes, freshly harvested.

(6) True bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured.

(7) Peanuts in the shell.

(8) Peanut hay.

This revision supersedes Circular B. E. P. Q. 485, twelfth revision, which became effective June 16, 1943.

These instructions shall be effective on and after November 28, 1944, and shall remain in effect until further modified or revoked.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 CFR § 301.72; 7 U. S. C., 1940 ed. 161.)

Done at Washington, this 22nd day of November 1944.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[Copies of the foregoing administrative instructions were sent to all common carriers doing business in or through the quarantined areas; also, through the Post Office Department, to the postmasters in those areas.]

[Filed with the Division of the Federal Register, November 28, 1944, 11:13 a. m.; 9 F. R. 14095.]

MISCELLANEOUS ITEMS

E2/Rhodesia (Southern)

NOVEMBER 3, 1944.

B. E. P. Q. 446, Supplement No. 1.

PLANT-QUARANTINE IMPORT RESTRICTIONS, TERRITORY OF SOUTHERN RHODESIA

According to Government Notice No. 184, dated April 9, 1943, citing the Plant Import Regulations, 1943, under terms of the Plant Protection Act, No. 2 of 1942,

the import restrictions of Southern Rhodesia cited by Government Notice No. 462 of August 5, 1934, have been amended as follows:

IMPORTATION PROHIBITED

Banana leaves severed from the plant, whether used as packing or otherwise.

IMPORTATION RESTRICTED

Entry of the following items is authorized only as departmental importations or under special permit (see pp. 1 and 4, B. E. P. Q. 446), subject to additional restrictions listed below.

1. *Departmental importations.*

(a) Cottonseed and seed cotton: Provided that importations shall be subject to delinting by means of concentrated sulphuric acid, or ginning and such delinting, and that permits shall be granted only when the Minister considers the importation expedient or necessary;

(b) Tobacco seed and unmanufactured tobacco leaf (including commercial samples) from countries where the disease known as blue mold or downy mildew (*Peronospora* spp.) is known to occur;

(c) Banana plants and suckers: Provided, that no permit shall be granted for more than 12 rooted plants or suckers, and that permits may be endorsed to the effect that the consignment must be accompanied by a certificate signed by an authorized official of the Department of Agriculture or other recognized institution in the country of origin that the diseases known as Panama disease (*Fusarium cubense*) and Cercospora leaf spot (*Cercospora musae*) are not known to occur in the district of corresponding administrative division in which the plants were at any time grown;

(d) Tomato seed: Provided that each consignment from Germany, Italy, North America, or any other country where the disease known as bacterial canker of tomato (*Aplanobacter michiganense*) exists must be accompanied by a certificate signed by an authorized official of the Department of Agriculture or other recognized institution in the country of origin stating that the seed was produced by plants officially inspected in the field and found to be free from the said disease.

2. *Special permit importations.*

(a) Tobacco seed and unmanufactured tobacco leaf (including commercial samples) from countries where the disease known as blue mold or downy mildew (*Peronospora* spp.) is not known to occur;

(b) Seeds of maize: Add the words "and Stewart's disease, (*Aplanobacter stewarti*)" after "maize" in 3d line of Reg. 11 (4), p. 6, B. E. P. Q.–446.

GENERAL RESTRICTIONS ON FRUIT AND PLANT IMPORTATIONS

1. If on inspection of any imported plant it appears to the inspector that such plant is infested with any pest or disease and in his opinion disinfection is impracticable or will not be a complete safeguard, or the delay caused by disinfection would give rise to the risk of the introduction or spread of any pest or disease, or the pest or disease is of a specially dangerous character, the inspector may cause such plant and any plant included in the same packing as such plant to be destroyed immediately without compensation.

2. If 5 per centum or more of any consignment of fruit is found by an inspector to be infested with the apple codling moth (*Cydia* (*Carpocapsa*) *pomonella* L.), the inspector shall cause the whole of such consignment to be destroyed without compensation: Provided that the consignment may be re-consigned to the country of origin at the expense of the consignor or consignee if in the opinion of the inspector the insects are sufficiently small to preclude their leaving the fruit whilst still in the Colony.

If less than 5 percent of any consignment of fruit is found by an inspector to be infested with the apple codling moth (*Cydia pomonella* L.), the inspector may cause the whole of such consignment to be sorted and repacked to his satisfaction.

3. Notwithstanding anything in this section contained, the fruit which remains after the infested fruit has been removed in the normal course of inspection from consignments of one or two packages of not more than one bushel each may be delivered to the consignee at the discretion of the inspector, irrespective of the percentage of infestation.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

E2/Peru
November 16, 1944.

P. Q. C. A. 310, Supplement No. 6, Revised.

PLANT-QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF PERU

According to Supreme Decree No. 511 of September 23, 1943, as modified by Supreme Decree No. 612 of December 15, 1943, the Supreme Decree of June 3, 1942, regulating the importation of flaxseed, has been amended as follows:

1. The importation of flaxseed by individuals is prohibited.

2. The Directorate of Agriculture authorizes the importation of flaxseed, in quantities necessary to cover the needs of those farmers engaged in flax cultivation, when imported through the Campaña de Fomento del Cultivo de Lino of Peru.

3. The seeds, the importation of which is authorized in the preceding article must fulfill the following requirements of the Bureau of Plant Sanitation:

(a) The importation of flaxseed is authorized from regions in which the wilt disease (*Fusarium lini*) does not occur, subject to shipments being accompanied by (1) a certificate from official authorities of the country of origin stating that the flaxseed has been grown in regions free from *Fusarium lini*, or (2) by an official biological certificate attesting to the absence of *Fusarium lini* in the shipments concerned.

(b) The imported seeds will be disinfected and fumigated at the Station of Plant Sanitation and Plant Disinfection at the Terminal Maritimo of Callao, at the expense of the importers.

4. The Campaña de Fomento del Cultivo de Lino is entrusted with the importation, distribution, and trading of imported seed, and with the faithful fulfillment of the requirements which refer to these regulations.

P. N. Annand,
Chief, Bureau of Entomology and Plant Quarantine.

December 31, 1944.

DESIGNATION OF QUARANTINE LIAISON OFFICERS AND ARMY AND NAVY ORDERS PERTAINING TO PLANT QUARANTINE

As both the Army and the Navy have placed all matters of foreign quarantine, including plant quarantine, within the purview of the Surgeon General of each service, it seems desirable to place on record the designation of liaison quarantine officers and to reproduce the pertinent portions of important orders, regulations, etc., relating to plant quarantine issued by these services that are valid as of this date.

QUARANTINE LIAISON OFFICERS

In a memorandum dated July 20, 1944, from Hon. James Forrestal, Secretary of the Navy, to Capt. Thomas B. Magath, Medical Corps, the latter was designated Navy Quarantine Liaison Officer. He was instructed to report to the Chief, Bureau of Medicine, under whose direction he was to carry out his duties.

In a letter dated September 29, 1944, from James S. Simmons, brigadier general, U. S. A., Chief, Preventive Medicine Service, this Bureau was informed that Lt. Col. Phillip T. Knies, Medical Corps, had been designated Army Quarantine Liaison Officer, with station in the Preventive Medicine Service, Office of the Surgeon General.

Hon. Paul V. McNutt, Administrator of Federal Security Agency, on November 11, 1944, designated Dr. Gilbert L. Dunnahoo, Medical Director in charge, Foreign Quarantine Division, United States Public Health Service, as responsible for enforcement of foreign quarantine and to work with Drs. Magath and Knies in matters in their respective fields.

On October 18, 1944, Assistant Secretary of Agriculture Charles F. Brannan designated Mr. E. R. Sasscer, of the Bureau of Entomology and Plant Quarantine, and Dr. S. O. Fladness, of the Bureau of Animal Industry, as representatives of the Department of Agriculture to serve in liaison capacity on quarantine problems with the liaison officers designated by the Army, the Navy, and the Public Health Service.

ARMY ORDERS AND REGULATIONS

Army Regulations No. 40–225 WAR DEPARTMENT,
Washington 25, D. C., 21 November 1944.

MEDICAL DEPARTMENT

FOREIGN QUARANTINE

1. *General.*—The Army is concerned in foreign quarantine because of the importance of the prevention of disease in military personnel and civilian populations and because of the exceptional strain placed upon civil quarantine facilities by the extensive transportation under Army jurisdiction. Since this activity may involve the responsibilities of various national quarantine agencies (see pars. 4 and 5) and may extend beyond the boundaries of the United States, its territories and possessions, it is necessary to define the scope of Army interest in foreign quarantine and the relationship of the Army in this matter to other interested agencies. The desirability of uniform practice throughout the Army emphasizes the advantage of those principles of preventive medicine upon which effective foreign quarantine may be based, particularly in military traffic.

2. *Definitions.*—For the purpose of these regulations the following terms are defined:

a. Foreign quarantine embraces those measures designed to prevent the introduction of disease or pest from one area into another which is not contiguous (excluding national subdivisions), or which is separated by the high seas, or is under different national jurisdiction. It may pertain to man and the diseases of man, to animals including insects and the diseases of animals, or to plants and the diseases of plants.

* * * * * * *

3. *Responsibility.*—*a.* Commanding officers of all echelons are responsible, with the technical advice of the appropriate surgeon and within the jurisdiction of the Army, for the enforcement of regulations and directives pertaining to foreign quarantine. This responsibility includes—

(1) Enforcement of current military directives, including those of the Army Air Forces and of the Transportation Corps, Army Service Forces, which conform with and implement these regulations. Every effort will be made by commanding officers to adjust practice within their command to the principles set forth in these regulations.

(2) Initiation and execution of measures for—

* * * * * * *

(*b*) Inspection and necessary sanitary treatment of persons, baggage, cargo, and conveyances, with disinsectization and/or rodent control as indicated.

* * * * * * *

(*d*) Exclusion or restriction of persons, plants, products of animals or plants, insects, or infectious agents, as may be required.

* * * * * * *

(5) Observance of pertinent civil regulations in areas not actually administered by force of arms, and the supplementation of these requirements by those measures which may be necessary to protect the interest of the United States. It is recognized that the responsibilities of civil agencies may continue in force, notwithstanding military participation in foreign quarantine, and commanding officers will expedite inspections or other procedures required by civil regulations to the maximum degree compatible with the military interest.

* * * * * * *

b. All matters concerned with foreign quarantine as it touches upon the interests of the Army are within the purview of The Surgeon General, including in that connection the maintenance of liaison in matters of quarantine with civil agencies of the United States and with the United States Navy, the supervision of quarantine functions within the Army, and the integration of quarantine procedures of the Army with quarantine requirements of foreign countries through cooperation with the responsible Army commanders of those areas.

c. The Medical Department is responsible for the technical supervision of quarantine functions within the Army, including inspections, recommendations,

and, within limits defined by the commanding officer, the execution of foreign quarantine.

* * * * * * *

5. *Quarantine of plants, plant products, animals, animal products, and infectious agents.*—*a.* The prevention of the introduction of diseases of plants, animals, and at times, man, into the United States, its territories and possessions, through the importation of plants, plant products, animals, animal products, insects, and infectious agents is a responsibility of the several Federal agencies concerned. Similar responsibilities are generally assigned to parallel agencies in foreign countries.

b. Plants and unprocessed plant products, and animals and animal products, may be imported by conveyance or personnel under the jurisdiction of the Army only in accordance with pertinent civil regulations unless exception has been arranged with the proper civil agency through military channels.

* * * * * * *

c. Packing materials and their disposition will conform to pertinent civil and military regulations. Unprocessed plant material likely to convey disease will not be used for this purpose.

* * * * * * *

g. Soil will not be imported by conveyance under the jurisdiction of the Army except in accordance with civil regulations.

[AG 720.4 (6 Nov 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:

J. A. ULIO,
Major General,
The Adjutant General.

Circular No. 453

WAR DEPARTMENT,
Washington 25, D. C., 29 November 1944.

Effective until 29 May 1946 unless sooner rescinded or superseded

FOREIGN QUARANTINE

I GENERAL.—1. *Definition.*—Foreign quarantine embraces those measures designed to prevent the introduction of diseases or pests from abroad. Its provisions may pertain to diseases of man, to animals including insects and diseases of animals, or to plants and diseases of plants. The diseases of man concerned are, by international convention, cholera, smallpox, plague, epidemic typhus, and yellow fever; leprosy also is made quarantinable by national regulation in the United States.

2. *Responsibility.*—a. The United States Public Health Service is legally responsible in the United States, its territories and possessions, for foreign quarantine with reference to the diseases of man, and for regulation of importation of certain insects, infectious agents, and biological products of immediate importance to man. The United States Department of Agriculture and the Department of the Interior are responsible for foreign quarantine with reference to animals and plants, including regulation of the importation of certain food products and biological agents. Similar assignments of responsibility exist in most other countries.

* * * * * * *

c. All matters of foreign quarantine, as they touch upon the interest of the Army, are within the purview of The Surgeon General. His responsibilities include liaison in matters of quarantine with pertinent civil agencies of the United States and with the United States Navy, the supervision of quarantine functions within the Army, and the integration of quarantine procedures of the Army with quarantine requirements of foreign countries through cooperation with the respective Army commanders in those areas. He is assisted in these matters by the Army quarantine liaison officer.

* * * * * * *

e. The enforcement of foreign quarantine is a responsibility of unit commanders (see par. 3, AR 40–225)..

* * * * * * *

V DISINSECTIZATION OF AIRCRAFT AND VESSELS.—16. Disinsectization is an essential component of aircraft quarantine designed to prevent the implantation of exotic insects in areas in which they do not already exist. The details of procedure for this purpose are prescribed by the Commanding General, Army Air Forces (see AAF Reg. No. 61–3, 9 August 1944). Compliance with these directives is required of all commands concerned in accordance with paragraph 3*a* (1), AR 40–225.

17. Disinsectization of vessels should be carried out as found necessary in order to reduce risk of insect-borne diseases among personnel aboard, and in order to prevent the introduction of exotic insects into areas endangered. It is recognized that a determination of the hazard involved includes evaluation of likelihood of importation, probability of propagation, preexistence of the same form or forms in the area concerned, and the hazard attached to the new form or forms.

VI PLANTS, PLANT PRODUCTS, ANIMALS, ANIMAL PRODUCTS.—18. In order to prevent the introduction of diseases of plants and/or animals, and of certain diseases of man, and in order to avoid importation of plants and animals including insects which may carry disease or become ruinous pests, the civil agencies concerned in many countries of the world have established restrictive and/or prohibitive regulations. Wide variation in detail and emphasis occurs in these regulations in accordance with the problems encountered by the several countries. A summary of provisions of regulations pertinent to the United States, its territories and possessions, is shown in section VIII.

19. Compliance by conveyance and personnel under the jurisdiction of the Army with these restrictive and/or prohibitive regulations of the several countries of the world is enjoined by War Department policy in paragraph 5, AR 40–225, and in AAF Regulation No. 61–3, 9 August 1944, unless exception is arranged with the proper civil agency through military channels. Such exceptions should be requested only for items intended for military, scientific, or educational purposes.

20. Additional provisions, more restrictive than civil regulations, are at times required in Army directives (1) in order to protect fully the health of troops; (2) in order to conserve weight, space, matériel, and effort which might otherwise be devoted to the needless transportation and care of animals and plants; (3) because of the necessity and difficulty of assuring full compliance with all pertinent national regulations; (4) in order to avoid needless destruction of animal life at ports and airports of entry; and (5) to discourage military personnel from spending money for items which must be seized by customs guards. Thus, paragraphs 30 and 31, AR 55–485, C 2, 7 January 1944, prohibit the carriage of pets, mascots, or psittacine birds on Army transports or vessels wholly allocated to the War Department; dogs for military purposes are excepted. Also AAF Regulation No. 61–3, 9 August 1944, prohibits the transportation of living plants or animals across national boundaries in aircraft under the jurisdiction of the Army except upon specific permit approved by the appropriate theater commander or by the Commanding General, Army Air Forces. Such permits (1) must comply with the provisions of civil regulations in the matter, or approval must be procured from the proper civil authority; (2) may be requested only for items intended for military, scientific, or educational purposes; and (3) must be obtained in advance of the transportation concerned.

21. It is the responsibility of the shipper and of those responsible for inspection, approval, and processing of baggage, cargo, or other types of shipments to be familiar with the pertinent regulations and to comply with them, including the conditions specified in special permits.

22. With reference to the United States, its territories and possessions, when no civil restriction or prohibition is in effect, civil permit to import may be assumed. When the importation of articles is *prohibited*, shipment should not be undertaken, but when importation is *restricted* only, that is, subject to customs inspection, and circumstances preclude the issuance of a permit abroad, the articles concerned may be transported to the port of entry, if not otherwise directed by military regulations (see pars. 30 and 31, AR 55–485, C 2, 7 January 1944, and AAF Regulation No. 61–3, 9 August 1944), and if authorized by the theater commander. Permit may under these circumstances be requested of the proper civil agency through the Customs Service at the first port of arrival in United States Territory. Compliance with regulations of the United States, its

territories and possessions, is further enjoined and detailed in paragraph 5*d*, *e*, and *g*, AR 40–225, and in section III, AAF Regulation No. 61–3, 9 August 1944. Circular No. 335, War Department, 1944, provides that items subject to inspection and/or restriction should, upon entry by water, be declared in a prescribed manner to facilitate the required processing. Procedures are described for this purpose to be carried out before departure from abroad and upon arrival.

23. All requests for permits referred to in this section should be in writing and should show the number and character of the items involved, their source, destination, purpose for which intended, and the nature of any known infection with pathogenic organisms.

* * * * * * *

VII INFECTIOUS AGENTS.—25. * * *

26. Soil may at times be contaminated by infectious agents or infested with eggs, larvae, or adult forms of harmful organisms. It should therefore not be carried by conveyance under Army jurisdiction unless known to be free from such hazard, and to the greatest extent practicable should be removed from salvage, vehicles, and other cargo before loading. When contamination with soil or other material considered likely to transmit or to harbor harmful agents is unavoidable, appropriate precautions should be observed at all times to minimize risk. Small amounts of soil, such as that about the roots of plants, may be of great importance in this regard.

* * * * * * *

VIII LIST OF RESTRICTED AND PROHIBITED ITEMS.—28. *Restricted items.*—The importation of the following items into the United States, its territories and possessions, is restricted and requires special authorization by United States Government agencies concerned:

a. Category 1.—Plants, including trees, shrubs, and herbaceous plants, bulbs, roots, cuttings, or other parts of plants, and seeds, for or capable of propagation. (Authorization by Bureau of Entomology and Plant Quarantine, Department of Agriculture, required. Normally, inspectors for this Bureau on duty at United States ports can assist in obtaining authorizations and can make the required inspections.)

* * * * * * *

29. *Prohibited items.*—The importation into the United States, its territories and possessions, of certain items is prohibited, except in those specific cases where a clearance to import items, such as those for scientific, educational, or military purposes, is obtained from the proper civilian agency through military channels, prior to shipment from an oversea command. Prohibited items include—

a. The following plants and plant products:

(1) Fresh fruits and vegetables, including sweet potatoes and yams.

(2) Bamboo seeds or plants, and unhulled rice.

(3) Sugar cane, citrus plants or cuttings, and banana plants.

(4) Raw cotton and cotton seed hulls, including seed cotton and cotton bolls, etc., as such; or, when used as a packing material, lint containing seed; cotton seed hulls; rice straw and rice hulls, including such products used as packing material; leaves or plants used as packing material, or dried grasses used as packing material.

NOTE.—Dried, cured, or processed fruits and vegetables, such as cured figs, dates, dried peas, and beans, are unrestricted. Processed cotton lint, such as absorbent cotton, cotton batting, or other forms of lint, free from seeds, is not prohibited as a packing material.

* * * * * * *

f. Live insects, including eggs, pupae, larvae, and adults.

* * * * * * *

[AG 720.4 (11 Nov 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
EDWARD F. WITSELL,
Brigadier General,
Acting The Adjutant General.

AAF Regulation No. 61–3

HEADQUARTERS, ARMY AIR FORCES,
Washington, 9 August 1944.

FLYING, OUTSIDE THE UNITED STATES

QUARANTINE

* * * * * * *

I—*General*

1. Compliance with the provisions of this Regulation, in accordance with AR 40–210, Section I, Par. 1, b, (13), is a responsibility of each command concerned. This responsibility includes both the training of personnel and the provision of supplies required under this Regulation, as well as the establishment of liaison with pertinent local quarantine authorities. The responsibility will be discharged with the technical advice of the surgeon. Surgeons will conduct inspections as necessary, including the search of baggage, to insure that the provisions of this Regulation are being carried out. A copy of this Regulation will be carried in all aircraft to which its provisions apply.

2. In exceptional circumstances the provisions of this Regulation may be modified in a manner acceptable to local military and public health service officials after written approval by the Commanding General, AAF.

II—*Quarantine of Personnel*

* * * * * * *

III—*Quarantine of Plants, Animals, and Their Products*

6. In order to avoid the transmission of animal or plant diseases and pests, and in order to observe strictly all pertinent civil and military regulations, no animal or plant product likely to convey disease or subject to quarantine or other restrictive regulations, and no living plant or animal (mammal, reptile, bird, fish, etc.), will be carried across national boundaries by an airplane under the jurisdiction of the Army except upon specific permit. This permit will be secured in advance from the proper civil authority of the country into which importation is intended with the approval of the appropriate theater commander or the Commanding General, AAF. Pertinent regulations of the United States, its territories and possessions are noted in Appendix II.

7. Such permits will be requested only for plants, animals, or plant or animal products intended for scientific, educational, or military purposes. Requests will show the species and number, type of container, source, destination, purpose for which intended, and the nature of any pathologic state.

* * * * * * *

15. Civilian pilots of aircraft under Army jurisdiction, not complying with these provisions, will be suspended from further flight pending action by the Commanding General, AAF.

By command of General ARNOLD.

BARNEY M. GILES,
Lieutenant General, United States Army, Chief of Air Staff.

Circular No. 398.

WAR DEPARTMENT,
Washington 25, D. C., 14 October 1944.

MAIL FROM ARMY PERSONNEL OUTSIDE THE CONTINENTAL UNITED STATES

* * * * * * *

II MAIL.—1. The mailing of the following plant materials and insects at Army post offices (APO) outside the continental United States addressed to points in the continental United States is illegal:

(*a*) Cottonseed and seed cotton. This includes cotton bolls, etc., as souvenirs.

(*b*) Cotton lint containing seeds and cottonseed hulls, rice straw and rice hulls, leaves and parts of plants, either separately or used as packing materials. Processed cotton lint, such as absorbent cotton, cotton batting, or other form

of lint free of seeds, excelsior, shavings, paper, ground cork, or peat may be used as packing material in lieu of the foregoing prohibited items.

(*c*) Unhulled rice.

(*d*) Bamboo seeds or plants.

(*e*) Sugarcane.

(*f*) Citrus plants or cuttings.

(*g*) Banana plants.

(*h*) Fresh fruits and vegetables, including fresh coffee berries, potatoes, sweet potatoes, and yams. Dried, cured, or processed fruits and vegetables, such as dried peas, beans, cured figs, dates, etc., are acceptable.

(*i*) Live insects, including living larvae, pupae, and eggs.

(*j*) Mango seeds from all localities except the Americas and the West Indies.

2. Numerous violations of the law in this respect have been reported by the Department of Agriculture. The mailing of the above-stated plant materials or insects from outside the continental United States might have a devastating effect upon the future agricultural economy of the country, by spreading plant diseases and insects.

3. When parcels containing living plants, seeds, bulbs, etc., and unprocessed plant material not on the foregoing prohibited list are prepared for mailing, they will be plainly marked as containing plant materials.

4. There are no quarantine restrictions on the entry of the following:

(*a*) Grass skirts, baskets, reed work, or other similar articles manufactured of dried grasses and kindred material, provided they are not made of rice straw.

(*b*) Wood carvings and similar curios.

(*c*) Dead dried insects or insects in preservative.

(*d*) Pressed and dried plants for herbarium or botanical specimens, provided they do not include rice straw or unprocessed cotton.

(*e*) Plant material in preservative.

5. All commands outside the continental United States will take the necessary action to see that all officers, enlisted men, and civilians using the Army post office facilities are advised of these instructions. Army mail clerks, assistant Army mail clerks, and other Army postal personnel accepting parcels for mailing will require mailers to state specifically the contents of such parcels and will refuse to accept prohibited materials or insects. All other personnel in a position to assist in the enforcement of the prohibitions indicated will do so.

6. Section III, Circular No. 17, War Department, 1944, pertaining to the foregoing subject, is rescinded.[2]

[AG 311.1 (6 Oct. 44).]

* * * * * * *

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General.
The Adjutant General.

WAR DEPARTMENT,
Circular No. 335. *Washington 25, D. C., 17 August 1944.*

INSPECTION AND CUSTOMS CLEARANCE OF BAGGAGE

* * * * * * *

3. *Restricted items.*—In accordance with the policies of the several Government departments responsible for the protection of the public health and the protection of plant and animal life in this country, the importation of certain items into the United States is prohibited and that of certain other items is restricted. In all cases where restricted items are authorized by theater commanders to accompany members of the armed forces, such items will be subject to inspection by representatives of the Government department concerned and will be presented to customs officers, who will in turn submit them to the appropriate Government agency. Prior to release of restricted items at United States

---

[2] See S. R./A. No. 158, January–March 1944, p. 21.

ports, specific authorization for importation of such items must be obtained from the Government agency concerned by the individual bringing them into the country (see par. 8).

4. *Inspection of baggage.*—The inspection of baggage prescribed by this circular is entirely for customs clearance purposes and in no way modifies or replaces inspections prescribed by Memorandum No. W55–45–43, 19 October 1943, and Changes No. 1, 7 January 1944, *or supersessions thereof.* The two inspections should be combined wherever practicable, but in such cases, provisions of both directives will be complied with in every respect. The provisions of this circular relate solely to accompanied baggage of individuals transported as members of units or groups or as casuals under the jurisdiction of transport commanders; they do not apply to baggage not accompanied by the owner, or to baggage of casuals not returned under the jurisdiction of transport commanders. For the purposes of this circular and the declarations and certificates prescribed herein, "personal effects" will include articles of clothing, arms, and other items of individual equipment actually owned by the United States but issued to the individual for his personal use.

5. *Responsibility of oversea commanders.*—Oversea commanders are responsible for the action prescribed below with respect to all baggage accompanying members of the armed forces returning to the United States from ports within their respective commands.

a. Prior to departure from the oversea command, each individual will execute the following declaration with respect to the baggage accompanying him:

I declare that all items in this baggage consist of personal or household effects either taken abroad by me or acquired abroad for my personal use, except the following:

(Here insert articles acquired for resale and articles procured or carried for other persons, except for gifts from the owner of the baggage. The value of articles listed will be indicated on this list. If no items are in these categories, "NO EXCEPTIONS" will be entered in this space.)

b. (1) Prior to departure from the oversea command, the baggage of each individual will be inspected by a United States Army officer appointed by the oversea commander, for articles the importation of which into the United States is prohibited by this circular; for censored communications and material; for articles not entitled to free entry under paragraph 1798 of the Tariff Act of 1930, as amended, or under Public Law 633; and for restricted articles as defined in paragraph 8.

* * * * * * *

c. All prohibited items will be withdrawn by the inspecting officer and will be disposed of as directed by the overseas commander. The appropriate commander will insure that prohibited items are not added between the time of inspection and the time baggage is loaded aboard ship.

d. Upon completion of the inspection, the inspecting officer will execute the declaration and certificate outlined in paragraph 10, entering thereon the name and rank of each individual whose baggage is covered by the declaration; opposite each name, any articles not entitled to free entry under paragraph 2 of this circular; and the cost or value thereof. Cost or value of the articles will be obtained from the individual concerned. He will also enter in the space provided for restricted items in *b* of the certificate, the name and rank of each individual whose baggage contains restricted items, and opposite each name, a brief description of each restricted item. The declarations and certificates executed by the inspecting officer will then be delivered to the transport commander.

e. The articles contained in the baggage of each individual which are not entitled to duty free admission under paragraph 2 of this circular will be packed by the owner of the baggage, either separately or in such manner as to be otherwise readily accessible for customs inspection at the United States port. Restricted articles will also be packed so as to be readily accessible for inspection.

* * * * * * *

6. *Responsibilities of transport commanders.*—The transport commander will be responsible for the following action with respect to baggage after sailing from an oversea port of embarkation:

* * * * * * *

b. If any opportunity exists for members of the armed forces aboard ship to acquire articles or communications during the course of the voyage, the transport commander will arrange for inspection and censorship of all articles or com-

munications so acquired at the time the individuals acquire the items or when they reembark at a port of call. Any nonofficial communication so acquired will be censored by the transport commander or taken into his custody and delivered to the customs officials at the United States port. Any articles acquired for other than the personal use of the owner of the baggage, as defined in paragraph 2, and any restricted items will be properly listed in order that these lists may be included with blanket declarations presented to customs officials at the United States port.

c. On the basis of the certificates received from inspecting officers prior to embarkation at the oversea port, and in the case of articles procured during the course of the voyage, upon inspection prescribed in *b* above, the transport commander will execute a blanket declaration in duplicate in the form prescribed in paragraph 11. The declaration will state that all baggage accompanying members of the armed forces aboard ship, whose names appear on the lists attached to the declaration, consists of personal or household effects taken abroad or acquired by the owner of the baggage for his personal use, except as otherwise stated in the lists, and except as stated in the summary sheets prescribed in *d* below.

d. (1) From certificates prepared by the inspecting officer, as prescribed in paragraph 5*d*, a summary sheet in the form prescribed in paragraph 12 will be prepared by the transport commander, on which will be entered the names of all individuals whose baggage contains articles *not* entitled to duty-free entry under the provisions of paragraph 2, with a list of such articles and the value thereof opposite the name of each individual. On additional summary sheets in the same form all restricted items will be entered. A separate sheet will be used for each category of restricted items. Cost or value will not be required on items entered solely because of their restricted status. The number of the page on which the items appear in the certificates attached to the declaration will also be shown.

(2) If all baggage consists of personal or household effects taken abroad or acquired abroad by the owner within the purview of paragraph 2 of this circular, as indicated by inspecting officers' certificates and by inspection of any articles acquired during the course of the voyage, the words "except for the items listed opposite his or her name and in addition listed on the attached summary" will be deleted from the declaration and the following notation substituted therefor: "NO EXCEPTIONS." If the baggage contains no restricted items, the reference to such items in the blanket declaration will be followed by the remark "NO RESTRICTED ITEMS."

(3) Pages of all certificates received from inspecting officers and the summary sheets will be numbered serially. All such certificates and the summary sheets will be attached to the blanket declaration.

e. Owners of baggage containing articles not entitled to free entry under the provisions of paragraph 2, or containing restricted articles, will be required to present such baggage to customs officers at the United States port before leaving the pier. The transport commander will issue necessary instructions in this respect.

f. Upon arrival at the United States port, the transport commander will deliver to the customs officials at the port the blanket declaration in duplicate, with certificates and summary sheets attached. The duplicate of the blanket declaration will be delivered by the customs officers to plant quarantine inspectors on duty at the port.

7. *Release from customs.*—The baggage covered by the declaration, including hold baggage (locker trunks, barracks bags, etc.), will be released from customs at the United States port without further inspection, unless the customs official concerned has reason to believe that some special reason exists for examining a particular piece or lot of baggage. Pieces containing items listed as having neither been originally taken from the United States by the owner nor acquired by him for his personal use, and those containing restricted items, will be inspected in such manner as deemed necessary by customs officers and other Government inspectors concerned. Wherever practicable, individuals carrying baggage containing articles not entitled to duty-free entry under the provisions of paragraph 2, or restricted articles, should be debarked separately from those whose baggage contains no such articles.

8. *List of restricted items.*—The importation of the following items into the United States is restricted and requires special authorization by United States Government agencies concerned.

a. Category 1.—Plants, including trees, shrubs, and herbaceous plants, bulbs, roots, cuttings, or other parts of plants and seeds, for or capable of propagation. (Authorization by Bureau of Entomology and Plant Quarantine, Department of Agriculture, required. Normally, inspectors for this Bureau are on duty at United States ports, can assist in obtaining authorizations, and make the required inspections.)

* * * * * * *

9. *List of prohibited items.*—The importation into the United States of the following items is prohibited by the provisions of this circular, except in those specific cases where a clearance to import items, such as those for scientific, educational, or military purposes, is obtained from the proper civilian agency through military channels, prior to shipment from an oversea command:

a. Smoking opium and narcotic drugs.

b. The following plants and plant products:

(1) Fresh fruits and vegetables, including sweetpotatoes and yams.

(2) Bamboo seeds or plants and unhulled rice.

(3) Sugar cane, citrus plants or cuttings, and banana plants.

(4) Raw cotton and cotton seed hulls, including seed cotton and cotton bolls, etc., as such; or, when used as a packing material, lint containing seed; cotton seed hulls; rice straw and rice hulls, including such products used as packing material, leaves or plants used as packing material, or dried grasses used as packing material.

NOTE.—Dried, cured, or processed fruits and vegetables, such as cured figs, dates, dried peas, and beans are unrestricted. Processed cotton lint, such as absorbent cotton, cotton batting, or other forms of lint, free from seeds, is not prohibited as a packing material.

* * * * * * *

g. Live insects, including eggs, pupae, larvae, and adults.

* * * * * * *

15. *Rescission.*—Pending revision of AR 55–410, all provisions of that regulation which are in conflict with this circular are rescinded.

[A. G. 012.4 (1 Aug. 44).]

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff.

OFFICIAL:
J. A. ULIO,
Major General,
The Adjutant General.

NAVY ORDERS AND REGULATIONS

General Order No. 162

NAVY DEPARTMENT,
Washington, D. C., 8 December 1941.

IMPORTATION OF FRUITS, VEGETABLES, PLANTS, AND MEATS INTO THE UNITED STATES

1. General Order No. 19 is hereby canceled.

2. The entry into the United States of certain foreign-grown fruits, vegetables, plants, and plant products is controlled by quarantine or other restrictive orders issued by the United States Department of Agriculture to reduce or eliminate the danger of introducing insect pests and plant diseases into this country.

3. Importation in this case is construed as bringing into the waters of the United States, whether actually landed or not, and applies to small quantities as well as large, even to one fruit or vegetable.

4. In order that the regulations of the Department of Agriculture may be fully complied with and no prohibited or infested articles brought into the United States on board naval vessels, it is directed that the commanding officer of a naval vessel or vessels arriving at a United States port from a port outside of the continental limits of the United States (Hawaii and Puerto Rico particularly)—

(a) Afford the facilities for and permit of a thorough examination of the ship by inspectors of the Department of Agriculture who may come aboard to determine whether infestation exists on the ship, and carry out directions of such inspectors as to disposition of contraband or infested articles.

5. The requirements of this order apply to aircraft as well as naval vessels with provision that no foreign-grown plant or unprocessed plant product, including fresh fruits and vegetables, are to be carried into the territorial limits of the United States by naval aircraft unless a permit has been previously secured from the Department of Agricultulre. Similarly, the movement of such products from Hawaii and Puerto Rico to the mainland should not be permitted in naval aircraft except in accordance with existing plant quarantines.

6. Commandants of naval districts will keep themselves informed of the regulations and procedure of the Department of Agriculture relative to the subject matter and cooperate to carry out the provisions of this order.

7. In view of the prevalence of rinderpest and foot-and-mouth disease among cattle in foreign countries, fresh and frozen meats procured by vessels in foreign ports shall not be landed in United States ports, either as meat or garbage. Commanding officers of all naval vessels are strictly enjoined to see that these instructions are carried out.

FRANK KNOX,
Secretary of the Navy.

NAVY DEPARTMENT,
Washington 25, D. C., 9 August 1944

44–991–Quarantine with Reference to Aircraft and Passengers.
P2–1–A21 (024).

PLANT QUARANTINE REGULATIONS

ACTION: ALL SHIPS AND STATIONS CONCERNED WITH AIRCRAFT

* * * * * * *

General: Responsibility:

2. All commanding officers concerned shall be responsible for the provisions of these regulations and will make full use of the technical advice of the senior medical officer in the command. Commanding officers shall establish liaison with local quarantine authorities and shall authorize medical officers to inspect personal baggage, if necessary, in order to carry out these regulations.

Section I. Quarantine of personnel:

* * * * * * *

4. The procedure outlined below shall be followed when passengers are transported by naval aircraft (a) departing from overseas to the United States, its Territories and possessions, from all places except those listed in appendix II, or (b) if required by a foreign government to whose country they are destined.

A. All passengers shall be informed they may not have in their possession any animal or plant, or their products, in violation of section II.

* * * * * * *

Section II. Quarantine of plants, animals, and their products:

5. In order to avoid the transmission of animal or plant diseases and pests, and in order to observe strictly all pertinent civil and military regulations no animal or plant product likely to convey disease or subject to quarantine or other restrictive regulations, and no living plant or animal (mammal, reptile, bird, fish, etc.), shall be carried across national boundaries by an airplane under the jurisdiction of the Navy except upon specific permit. This permit will be secured in advance from the proper civil authority of the country into which importation is intended with the approval of the appropriate theater commander or the Chief BuMed. Pertinent regulations of the United States, its Territories and possessions are noted in appendix II.

6. Such permits will be requested only for plants, animals, or plant or animal products intended for scientific, educational, or military purposes. Requests will show the species and number, type of container, source, destination, purpose for which intended, and the nature of any pathologic state.

7. It will be the responsibility of the shipper properly to pack, crate, tie and administer sedative drugs when necessary, and arrange for care of all animals during flight. Written instructions for care, including feeding, watering, exercise, etc., will be attached. Conspicuous labels, containing instructions for full protection of handlers, will be attached to all cages containing animals infected with pathogenic organisms, or the animals will be accompanied by a person

responsible for their care; proper disposition will be specified for bedding, dejecta, and other material liable to be contaminated.

* * * * * * *

APPENDIX II

* * * The importation of certain plants and plant products is regulated by the Bureau of Entomology and Plant Quarantine of the Department of Agriculture (Service and Regulatory Announcements, U. S. D. A., B. E. P. Q., published annually); the Board of Commissioners of Agriculture and Forestry, T. H., enforce additional restrictions (Order No. 1, B. A. I., 27 May 1940). Animals, plants, and their products arriving contrary to these regulations are subject to seizure and destruction or to re-export at the expense of the owner. * * * Ref.: Navy Dept. Gen. Orders, Nos. 29, 162, and 199, state in substance that no plant, unprocessed plant product, or animal shall be carried by a Navy airplane, vessel, or by Navy personnel into the United States except by official permit. * * *

APPENDIX III

Medical Certificate

To the Operations Officer or Pilot or Air Transport Officer:

_____
(Passenger's name) (Rank) (Number)

has fulfilled all medical requirements for transportation by naval aircraft to the destination indicated in his orders.

_____
(Naval Medical Officer or Representative)

Quarantine Declaration-Aircraft

Aircraft number _____ Airport _____

Destination _____ Date _____

The following personnel declare they do not have in their possession, nor will they take on board this plane, any animal or plant or their products, subject to quarantine restrictions. These persons have presented medical certificates showing they have fulfilled requirements for embarkation on this flight or are not subject to such requirements. The names of persons having certificates of urgency are to be found on the reverse side of this form.

* * * * * * *

_____
(Operations Officer or Air Transport Officer)

PILOT'S DECLARATION

1. To my knowledge no person has been ill, other than with airsickness, on the flight, except as indicated on the reverse side.
2. There were no living birds, animals, caged insects, or bacterial cultures aboard on this flight, except as indicated on the reverse side.
3. The plane was disinsectized in accordance with regulations just before the take-off, at the following places _____.

_____
(Pilot)

(Reverse of form, Comments by pilot)

BuMed. Ross T. McIntire.

Approved:
Aubrey W. Fitch,
Deputy Chief of Naval Operations (Air).

NAVY DEPARTMENT,
Washington 25, D. C., 28 July 1944.

Op-20-M1/rmh,
Serial 2481520.

MAIL FROM NAVY PERSONNEL OUTSIDE THE CONTINENTAL UNITED STATES

ACTION: ALL SHIPS AND STATIONS

(Ref.: (a) CNO ltr. Op20M2-nm, Serial 581120, of 20 Feb. 1943; N. D. Bul. Cum. Ed. 1943, p. 309.
(b) CNO ltr. Op20M2-if, Serial 1517720, of 13 Jan. 1944; N. D. Bul. of 31 Jan. 1944, 44-87.)[4]

1. References (a) and (b) listed certain plant materials and insects which are not acceptable for mailing in Navy post offices, afloat and ashore overseas.

2. The U. S. Department of Agriculture has advised that the restrictions contained in references (a) and (b) have proved helpful in meeting plant quarantine problems, and has requested continuation of the restrictions.

3. Many requests for interpretation of existing quarantine import restrictions has prompted the Department of Agriculture to request promulgation of information concerning certain popular items which may be accepted for mailing, and accordingly are not prohibited. These items are:

(a) Wood carvings and similar curios, grass skirts, baskets, reed work or other similar articles manufactured of dried grasses and kindred materials, provided they are not made of rice straw.

(b) Dead dried insects or insects in preservative.

(c) Pressed and dried plants for herbarium or botanical specimens, provided they do not include rice straw or unprocessed cotton.

(d) Plant material in preservative.

4. The Department of Agriculture also advises, (1) with respect to packing materials, the excelsior, shavings, paper, ground cork, peat, and many other similar packing materials may be used in lieu of prohibited raw cotton and rice straw; (2) that fresh coffee berries are included with the fresh fruits which are prohibited; (3) mango seeds are prohibited from all localities except the Americas and the West Indies.

5. All commanding officers shall advise their personnel of the contents of this letter and especially all Navy post office personnel, including Marine and Coast Guard, who shall be thoroughly indoctrinated as to the procedure required under this directive.

OpNav. C. B. MOMSEN.

Navy Department Bulletin. 31 July 1944.

TERMINAL INSPECTION OF PLANTS AND PLANT PRODUCTS

OKLAHOMA DISCONTINUES TERMINAL PLANT INSPECTION

The Oklahoma Department of Agriculture advises that the facilities heretofore maintained for terminal plant inspection under the provisions of section 596, Postal Laws and Regulations, in that State are being discontinued.

It is, therefore, no longer necessary that parcels containing plants or plant material be transmitted to Oklahoma City for inspection by the Oklahoma State Plant Quarantine officials. Postmasters in Oklahoma and in other States will please be governed accordingly. Shippers of nursery stock should also be advised.

However, the foregoing makes no change in the nursery certificate requirement under paragraph 2, section 595, Postal Laws and Regulations.

[Reprint of notice which appeared in The Postal Bulletin of November 28, 1944.]

---

[4] This Bulletin supplements the instructions appearing on p. 22, S. R. A. No. 158, for January-March 1944.

PENALTIES IMPOSED FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

According to reports received by the Bureau during the period October 1 to December 31, 1944, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband plant material, the penalties indicated were imposed by the United States customs officials at the following ports:

Name	Port	Contraband	Penalty
Felicitas Rodriguez	Nogales, Ariz	4 pomegranates, 2 quinces, and 2 sweet limes.	$1.00
Candelaria Partida	do	4 sweet limes and 1 orange	1.00
Dolores Bernal	Del Rio, Tex	1 avocado	1.00
Edw. A. Stewart	do	2 oranges	1.00
Adolfo Flores	do	10 tangerines	1.00
Joe Salvas	do	7 pounds green peppers	1.00
Pablo B. Gonzales	Eagle Pass, Tex	3 apples	1.00
Marcelina Gonzales	do	2 apples	1.00
Gaiton Vda. de Alejandro Dionicia	do	5 apples	1.00
Mary R. Reyes de Morales	do	2 oranges	1.00
Francisca Cisneros de Posada	do	1 orange	1.00
Roberta Morones Vda. de Hernandez	do	5 plants	1.00
Antonio Tores	do	3 guavas	1.00
Serapio Garcia	do	6 avocado seeds	1.00
Maria Guadalupe Ortiz	Hidalgo, Tex	5 avocados	1.00
Leonardo S. Navarro	do	4 avocados	1.00
Maria S. Rodriguez	do	1 apple and 1 orange	1.00
Petra Gonzalez	do	2 avocados	1.00
Rufina Singera	do	1 apple	1.00
Maria Lusia Marcias	do	2 apples	1.00
Dolores Davila	do	1 guava	1.00
Miguel Contreras	do	4 guavas	1.00
Consuela Gonzalez	do	1 orange	1.00
Dorotea F. Ovalle	Laredo, Tex	10 plants	1.00
Refugio T. Vda. de Pena	do	2 apples and 1 orange	2.00
Maria Gonzales	do	4 plants	1.00
Eduardo Alvarado	do	1 pomegranate, 4 cacti, and 4 bulbs.	5.80
Andres Astorga	do	5 guavas	1.00
Ofelia Aguilar	do	3 guavas	1.00
Mrs. Ramon Martinez	do	2 oranges	1.00
Miss Camela Valle	do	2 guavas	1.00
Jose Jesus Macial	do	14 guavas	1.00
Salvador Canion	do	3 guavas and 4 avocados	1.00
Tomasa Moreles de Nunoz	do	9 plants	1.00
Saludad Silva Vda. de Arregon	do	1 plant	1.00
Roberto Santano	do	2 oranges	1.00
Emilio Chanario	do	6 oranges and 46 sugarcane nodes	1.00
Lucinda Saenz	Roma, Tex	3 bougainvillaea cuttings	1.00

ORGANIZATION OF THE BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

P. N. ANNAND, *Chief.*
AVERY S. HOYT, *Associate Chief.*
S. A. ROHWER, *Assistant Chief in Charge of Regulatory Work.*
F. C. BISHOPP, *Assistant Chief in Charge of Research Work.*
W. L. POPHAM, *Assistant Chief in Charge of Control Operations.*
F. H. SPENCER, *Assistant Chief in Charge of Administration.*
B. CONNOR, *in Charge, Division of Finance and Business Services.*
WM. F. LEFFLER, *in Charge, Division of Personnel.*
ROLLA P. CURRIE, *in Charge of Editorial Work.*
G. J. HAEUSSLER, *In Charge, Division of Insect Pest Survey and Information.*
J. I. HAMBLETON, *in Charge, Division of Bee Culture Investigations.*
D. L. VAN DINE, *in Charge, Division of Fruit Insect Investigations.*
F. C. CRAIGHEAD, *in Charge, Division of Forest Insect Investigations.*
W. H. WHITE, *in Charge, Division of Truck Crop and Garden Insect Investigations.*
C. M. PACKARD, *in Charge, Division of Cereal and Forage Insect Investigations.*
R. W. HARNED, *in Charge, Division of Cotton Insect Investigations.*
W. E. DOVE, *in Charge, Division of Insects Affecting Man and Animals.*
C. P. CLAUSEN, *in Charge, Division of Control Investigations.*
R. C. ROARK, *in Charge, Division of Insecticide Investigations.*
C. F. W. MUESEBECK, *in Charge, Division of Insect Identification.*
C. P. CLAUSEN, *in Charge, Division of Foreign Parasite Introduction.*
J. F. MARTIN, *in Charge, Division of Plant Disease Control.*
B. M. GADDIS, *in Charge, Division of Domestic Plant Quarantines.*
E. R. SASSCER, *in Charge, Division of Foreign Plant Quarantines.*
R. A. SHEALS, *in Field Charge, Gypsy Moth and Brown-Tail Moth Control* (headquarters, *Greenfield, Mass.*)
E. G. BREWER, *in Field Charge, Japanese Beetle and Gypsy Moth and Brown-Tail Moth Quarantines, and Dutch Elm Disease Control* (headquarters, *East Orange, N. J.*)
L. F. CURL, *in Field Charge, Pink Bollworm and Thurberia Weevil Quarantines* (headquarters, *San Antonio, Tex.*).
P. A. HOIDALE, *in Field Charge, Mexican Fruitfly Quarantine* (headquarters, *Harlingen, Tex.*).
CLAUDE WAKELAND, *in Field Charge, Grasshopper Control* (headquarters, *Denver, Colo.*).
A. C. BAKER, *in Field Charge, Fruitfly Investigations* (headquarters, *Mexico City, Mexico*).

U. S. GOVERNMENT PRINTING OFFICE: 1945